

# OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII  
NO. 1 CAPITOL DISTRICT BUILDING  
250 SOUTH HOTEL STREET, SUITE 107  
HONOLULU, HAWAII 96813  
TELEPHONE: 808-586-1400 FAX: 808-586-1412  
EMAIL: oip@hawaii.gov

To: House Committee on Consumer Protection and Commerce

From: Cheryl Kakazu Park, Director

Date: February 12, 2014, at 2:10 p.m.  
State Capitol, Conference Room 325

Re: Testimony on H.B. No. 2382  
Relating to Public Agency Meetings

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Thank you for the opportunity to submit testimony on this bill. The Office of Information Practices (“OIP”) supports the intent of this bill to add electronic notice as an alternative to notice by mail for people who have asked to be on a Sunshine Law board’s mailing list, but OIP is concerned that the bill in its current form would set additional requirements that would not be feasible for all boards, and would inappropriately criminalize a failure to timely mail out notice.

The bill (at page 3, lines 1-2) would require every notice of a Sunshine Law meeting to include the address of a website, with instructions on how to submit testimony. Because the Sunshine Law applies to a wide variety of boards, including small boards with no support staff as well as the larger and more prominent boards, not all boards have websites or the ability to readily create a website, which would make it difficult for all boards to meet this requirement. Further, OIP notes that such a provision could be interpreted as authorizing each board to set its own requirements for how testimony must be submitted, whereas under current law OIP has opined (in its Opinion Letter Number 03-06) that the law must be liberally construed to afford the public the opportunity to submit written testimony by any

reasonable means. In other words, the proposed requirement could actually restrict the public's ability to submit written testimony by any reasonable means.

OIP is similarly concerned that the proposed requirement (at page 4 lines 17-19) for boards to "provide instructions and contact information for persons to request to be included" on the electronic or mail notice list would not be feasible for small boards without staff, web presence, or a physical office. By giving each board the ability to set its own procedure for being added the list, the proposal could also have the unintended consequence of restricting the public's ability to use any reasonable means to request to be added to the list.

The bill (at page 4, lines 11 and 15) anticipates sending the notice to a mobile phone number. Given the length of even a typical agenda, OIP does not believe that text message is a feasible method of electronic transmission.

Finally, the bill (at page 4, line 20 to page 5, line 2) would specifically subject any person failing to timely mail or electronically send notice to the Sunshine Law's criminal misdemeanor provision, section 92-13, HRS. OIP does not believe that a criminal misdemeanor and removal from the board is an appropriate penalty for failure to timely mail out notice. The provision is also confusing, in that (1) a staff member, not a board member, usually sends out those notices, and (2) late mailing of notices is usually not intentional. By contrast, the criminal misdemeanor's focus is on intentional acts by a board member.

OIP would recommend that this Committee amend the bill to address these concerns and limit it to simply adding electronic mail notice as an alternative to postal mail notice. OIP has attached language that would do so; changes to the bill's section 1 are shown in Ramseyer form, and for the sake of readability, bill sections 2 forward show only the new suggested language to replace the current language, and are not in Ramseyer form. Thank you for the opportunity to testify.

DEPARTMENT OF INFORMATION TECHNOLOGY  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 5TH FLOOR  
HONOLULU, HAWAII 96813

Phone: (808) 768-7684 # Fax: (808) 768-7807 # Internet: www.honolulu.gov

KIRK CALDWELL  
MAYOR



MARK D. WONG  
DIRECTOR AND CIO

KEITH G. H. HO  
DEPUTY DIRECTOR

TESTIMONY  
of  
**MARK D. WONG, DIRECTOR and CHIEF INFORMATION OFFICER**  
Department of Information Technology  
City and County of Honolulu  
before the  
**COMMITTEE ON CONSUMER PROTECTION & COMMERCE**  
on  
**Wednesday, February 12, 2014**  
**2:10 p.m.**  
**State Capitol, Conference Room 325**  
In consideration of

**HB 2382, RELATING TO PUBLIC AGENCY MEETINGS**

Chair McKelvey, Vice Chair Kawakami and Members of the Committee:

My name is Mark Wong, and I am the Director for the Department of Information Technology and the Chief Information Officer for the City and County of Honolulu. I am supporting the intent of the Bill to include electronic notification; however, I would like to share the following observations:

**Electronic Mail:** Is a broad term encompassing numerous systems, including IBM PROFS, X.400, and uucp. Since the mid-1990's, the prevalent email system has been Internet mail using the SMTP protocol, and this Bill should limit electronic mail to this protocol, as most boards and commissions have no support for other forms of electronic mail.

**Text Messaging:** Delivering text messages via SMTP relies on a carrier-specific email address. Blocks of mobile phone numbers are assigned to particular cellular providers. Once a number is ported to a different carrier, it can be difficult to determine who the carrier is. For this reason, boards and commissions should not be required to deliver text messages to a mobile phone number.

TESTIMONY

**COMMITTEE ON CONSUMER PROTECTION & COMMERCE**

HB 2382, Relating to Public Agency Meetings

Wednesday, February 12, 2014

Page 2

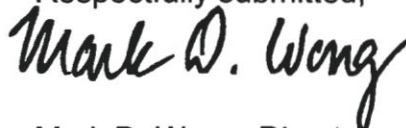
**Mobile Phone Numbers:** It is unfeasible for boards and commissions to notify mobile users by voice or voice message. Not all mobile users have text message service either, so there is little use in storing a mobile phone number. Furthermore, limitations on SMS message length make transmitting a copy of many notices impractical. Any reference to mobile phone numbers or text messaging should be deleted.

**Electronic Means:** This term electronic means is far too broad. Electronic means could include fax, telephone, text messaging, file transfer protocol (FTP), social media such as Twitter and Facebook, Nixel, reverse 911, paging, and dozens of other forms of communications. Electronic means should be limited to SMTP email and agency websites. Support for additional protocols could be onerous or impossible.

**Penalties for failing to properly send meeting notices:** The term 'properly send' is subject to interpretation. While larger boards and commissions may have the capacity for broadcasting content, making this a requirement could be a burden for smaller boards and commissions. An improperly provided email or a full mailbox could result in a failure to properly send a meeting notice, and any threat of penalty would result in a cumbersome notification tracking process. Furthermore, it could be difficult to determine the person responsible for a failure to properly send notices. Paragraph (f) should be deleted.

Thank you for this opportunity to provide testimony.

Respectfully submitted,

A handwritten signature in black ink that reads "Mark D. Wong". The signature is written in a cursive, slightly slanted style.

Mark D. Wong, Director  
Chief Information Officer



DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-6041  
DEPT. WEB SITE: [www.honolulu.dpp.org](http://www.honolulu.dpp.org) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

KIRK CALDWELL  
MAYOR



GEORGE I. ATTA, FAICP  
DIRECTOR

ARTHUR D. CHALLACOMBE  
DEPUTY DIRECTOR

February 12, 2014

The Honorable Agnus L.K. McKelvey, Chair  
and Members of the Committee on  
Consumer Protection and Commerce  
House of Representatives  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair McKelvey and Committee Members:

SUBJECT: House Bill No. 2382  
Relating to Public Agency Meetings

The Department of Planning and Permitting (DPP) **supports House Bill No. 2382, with two amendments.** The Bill allows agencies to send notifications by electronic means as an alternative to postal mail, and requires agencies to provide more information on how to participate in public meetings and hearings.

The DPP strongly supports public participation in our planning processes. We welcome efforts to make our outreach more effective and economical by permitting the use of email as an alternative to postal mail for meeting notices when requested. In fact, we have been using electronic notices via email and Twitter for several years as a way to both reduce administrative costs and to respond to the public that prefers these methods of notification. We are studying whether we can efficiently adopt "text messaging" as a communication tool.

We ask that the Bill be amended to remove the requirement for public agencies to maintain a list of mobile phone numbers of persons requesting meeting notifications. The purpose of electronic notification is to assist the public; not demand information. We are uncomfortable about requiring information that we may not be using, but which becomes available as public information, and may add another collection of confidential records that would have to be protected against disclosure.

We also ask that the proposed amendment to Section 92-7, Hawaii Revised Statutes, be revised to be consistent with the wording in Section 92-13, which also provides penalties for failure to carry out the provisions regarding public agency meetings and records. Please amend the proposed new Section 92-7 (f) as follows:

(f) Any person who willfully fails to properly send notices by postal mail or electronic means or willfully fails to send notices in a timely manner shall be subject to penalties under section 92-13.

The Honorable Agnus L.K. McKelvey, Chair  
and Members of the Committee on  
Consumer Protection and Commerce  
House of Representatives  
Hawaii State Capitol  
RE: House Bill No. 2382  
February 12, 2014  
Page 2

As written, the proposed Section 92-7(f) could be interpreted to imply that even an accidental failure caused by a systems failure or misplacement or misfiling could cause staff to be subject to a misdemeanor charge. We don't feel such a penalty would be fair or appropriate. Lastly, references to any "person" should be revisited, as ultimately, it is a department's or agency's responsibility to comply with the law.

Please **adopt House Bill No. 2382 with the requested amendments.**

Thank you for this opportunity to testify.

Very truly yours,

A handwritten signature in blue ink that reads "George I. Atta". The signature is written in a cursive style with a large initial "G".

George I. Atta, FAICP  
Director

GIA:cl  
HB2382-bs



HAWAII  
STRATEGIC  
DEVELOPMENT  
CORPORATION

Written Statement of

**KARL FOOKS**  
**President**

Hawaii Strategic Development Corporation

Before the  
**COMMITTEE ON CONSUMER PROTECTION & COMMERCE**

**February 12, 2014**  
**2:10 PM**  
**State Capitol, Conference Room 325**

In consideration of  
**HB 2382 RELATING TO PUBLIC AGENCY MEETINGS**

Chair McKelvey, Vice Chair Kawakami and Members of the Committee on Consumer Protection & Commerce:

The Hawaii Strategic Development Corporation (HSDC) respectfully submits testimony in support of HB 2382, with comments.

We agree that electronic access to board meeting notifications and other information about the meeting will improve the public's access to and attendance of the meetings.

However, we find that the added provision to HRS §92-7 regarding penalties to be redundant with HRS §92-13 and therefore not needed.

Thank you for the opportunity to provide testimony.

Written Statement of  
**ROBBIE MELTON**  
**Executive Director & CEO**  
High Technology Development Corporation  
before the  
**HOUSE COMMITTEE ON**  
**CONSUMER PROTECTION AND COMMERCE**  
Wednesday, February 12, 2014  
2:10 p.m.  
State Capitol, Conference Room 325  
In consideration of

**HB 2382 RELATING TO PUBLIC AGENCY MEETINGS.**

Chair McKelvey, Vice Chair Kawakami, and Members of the Committee on Consumer Protection and Commerce.

The High Technology Development Corporation (HTDC) **supports the intent** of HB2382 relating to Public Agency Meetings. HTDC agrees that using technology is an important way to give more people access to public agency meeting notifications and other information. However, HTDC comments that the added provision to HRS §92-7 regarding penalties to be redundant with HRS §92-13 and therefore unnecessary.

Thank you for the opportunity to offer these comments.



**PETER L. FRITZ**  
200 NORTH VINEYARD BOULEVARD, #430  
HONOLULU, HAWAII 96817  
TELEPHONE (1711 CALL ME): (808) 568-0077  
E-MAIL: PLFLEGIS@FRITZHQ.COM

HOUSE OF REPRESENTATIVES  
THE TWENTY-SEVENTH LEGISLATURE  
REGULAR SESSION OF 2014

COMMITTEE ON CONSUMER PROTECTION & COMMERCE  
Testimony on H.B. 2382

Hearing February 12, 2014

(RELATING TO PUBLIC AGENCY MEETINGS)

Chair McKelvey, Vice Chair Kawakami, and members of the Committee. My name is Peter Fritz. I am the current Chairperson of the Disability and Communication Access Board ("DCAB"), an individual with a disability, and an attorney whose practice includes disability rights law. **I am testifying as an attorney in support of this bill with the changes to the content of the notice of meetings, delivery of the notice, and penalties reflected in the attached Proposed H.D. 1.** Proposed H.D. 1 has changes to ensure that the new notice requirements do not discriminate against individuals with disabilities and changes to the penalty provisions that would make the penalty the similar to the penalty for failing to file the notice with the Lieutenant Governor. A copy of the Proposed H.D. 1 marked up to show the changes from the original bill is attached as Exhibit 1.

This bill would require boards to include information about how to submit testimony for a meeting, provide notice by electronic delivery or regular mail and penalty provisions for failing to timely mail or send the notice.

#### **Information About How to Submit Testimony for a Meeting**

- Permitting submission of testimony will allow for greater participation by individuals with disabilities whose may have difficulty physically attending a meeting.
- To comply with Federal and State disability nondiscrimination laws, boards are already including information about how to contact the board if an individual needs an accommodation for a disability. Allowing submission of testimony electronically could be considered another form of accommodation.
- All State boards or commissions are attached to a State agency or department which provides support for the board. A directory of boards and commissions and the department that provides support is attached as Exhibit 2.
- The board should decide whether such information should be included via a web address, email or by other means that are similar to the methods listed in the notice for today's hearing.
- Proposed H.D. 1 reflects this change on page 3, lines 2 and 3.

HB 2382

Testimony of Peter L. Fritz

Hearing Date: February 12, 2014

Page 2 of 2

### **Sending Notices of Meetings by Mail or Electronically**


- To avoid problems with disability discrimination, the notice should be sent by the method designed by the individual. Individuals with disabilities may not have email access or be able to read an email on a mobile phone. It would violate state and/or federal nondiscrimination laws to send a notice of a meeting by a method that is inaccessible to an individual with a disability.
- Notices should not be allowed to be sent by mobile phones as text messages. For archival purposes, notices should be sent by mail or email.
- Proposed H.D. 1 reflects these changes on page 4, lines 6 through 16.

### **Penalties**

- The purpose of sending a notice by mail or electronic mail is to provide notice of a meeting and serves the same purpose as filing the notice with the Lieutenant Governor.
- Proposed H.D. 1 would conform the penalty for failing to timely send the notice to the consequences for failing to file the notice with the Lieutenant Governor.
- Proposed H.D. 1 reflects these changes on Page 4, lines 17 through 25 and page 5; lines 1 and 2.

Thank you for the opportunity to testify.

Very truly yours,

A handwritten signature in black ink, appearing to read "Peter L. Fritz", with a large, sweeping flourish above it that extends across the width of the signature.

Peter L. Fritz

1

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A BILL FOR AN ACT

Relating to Public Agency Meetings.

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

1 SECTION 1. The legislature finds that boards and commissions  
2 have a duty to ensure that meeting notices are readily available to  
3 the public under sunshine law in chapter 92, Hawaii Revised  
4 Statutes. Existing law requires boards and commissions to maintain  
5 a list of names and addresses of persons who request notification  
6 of meetings and to mail a copy of the meeting notice to these  
7 persons when a meeting agenda is filed. Postage is becoming cost  
8 prohibitive, especially when electronic mail is a more efficient  
9 and effective alternative to conventional mail. If electronic  
10 mailing of meeting notices is allowed, boards and commissions will  
11 be able to save money. Furthermore, electronic notices maximize  
12 the convenience for members of the public who are relying more on  
13 receiving mail through electronic means and may improve public  
14 access to and attendance of board and commission meetings.

15 The purpose of this Act is to improve the ability of boards  
16 and commissions to make meeting notices readily available to the  
17 public by:

- 1 | (1) Requiring ~~an internet web address that provides~~  
2 | meeting notices to include instructions on submitting  
3 | testimony for a meeting;
- 4 | (2) Allowing boards and commissions to provide notice of  
5 | a meeting by either first class mail or electronic  
6 | ~~means, including electronic mail and text messaging~~  
7 | mail as designated by the person requesting such  
8 | notice;
- 9 | (3) Requiring boards and commissions to provide  
10 | instructions and contact information for persons to  
11 | request to be included on the list for notification of  
12 | meetings to be sent via postal mail or electronic  
13 | means; and
- 14 | (4) ~~Specifying~~Providing that ~~any person who fails~~ the  
15 | failure to properly send meeting notices by postal  
16 | mail or electronic ~~means or fails~~ mail shall be  
17 | treated in the same manner as failing to send timely  
18 | file a notice of a meeting ~~notices in a timely manner~~  
19 | ~~shall be subject to penalties~~with the Lieutenant  
20 | Governor.

21 | SECTION 2. Section 92-7, Hawaii Revised Statutes, is amended  
22 | to read as follows:

23 | "**§92-7 Notice.** (a) The board shall give written public  
24 | notice of any regular, special, or rescheduled meeting, or any  
25 | executive meeting when anticipated in advance. The notice shall



1 include an agenda [~~which~~] that lists all of the items to be  
2 considered at the forthcoming meeting, the date, time, and place  
3 of the meeting, ~~an internet web address for instructions on~~  
4 submitting testimony for the meeting, and in the case of an  
5 executive meeting the purpose shall be stated. The means specified  
6 by this section shall be the only means required for giving notice  
7 under this part notwithstanding any law to the contrary.

8 (b) The board shall file the notice in the office of the  
9 lieutenant governor or the appropriate county clerk's office, and  
10 in the board's office for public inspection, at least six calendar  
11 days before the meeting. The notice shall also be posted at the  
12 site of the meeting whenever feasible.

13 (c) If the written public notice is filed in the office of  
14 the lieutenant governor or the appropriate county clerk's office  
15 less than six calendar days before the meeting, the lieutenant  
16 governor or the appropriate county clerk shall immediately notify  
17 the chairperson of the board, or the director of the department  
18 within which the board is established or placed, of the tardy  
19 filing of the meeting notice. The meeting shall be canceled as a  
20 matter of law, the chairperson or the director shall ensure that a  
21 notice canceling the meeting is posted at the place of the meeting,  
22 and no meeting shall be held.

23 (d) No board shall change the agenda, once filed, by adding  
24 items thereto without a two-thirds recorded vote of all members to  
25 which the board is entitled; provided that no item shall be added

1 to the agenda if it is of reasonably major importance and action  
2 thereon by the board will affect a significant number of persons.  
3 Items of reasonably major importance not decided at a scheduled  
4 meeting shall be considered only at a meeting continued to a  
5 reasonable day and time.

6 (e) The board shall maintain a list of names [~~and~~], postal or  
7 electronic addresses, ~~and mobile phone numbers~~ of persons who  
8 request notification of meetings by postal mail or electronic means  
9 and shall mail by first class mail or electronically ~~transmit~~ mail  
10 a copy of the notice to such persons at their last recorded postal  
11 or electronic mail address ~~or mobile phone number~~ designated by the  
12 person who requested notification of meetings no later than the  
13 time the agenda is filed under subsection (b). The board shall  
14 provide instructions and contact information for persons to request  
15 to be included on the list for notification of meetings to be sent  
16 via postal mail or electronic means.

17 (f) Any person who If a board fails to properly send notices  
18 by postal mail or electronic ~~means~~ mail or fails to send notices ~~in~~  
19 a timely manner at no later than the time the agenda is filed under  
20 subsection (b), the lieutenant governor or the appropriate county  
21 clerk shall immediately notify the chairperson of the board, or the  
22 director of the department within which the board is established or  
23 placed, of the tardy filing of the meeting notice. The meeting  
24 shall be ~~subject to penalties under section 92-13~~ canceled as a  
25 matter of law, the chairperson or the director shall ensure that a

1 | notice canceling the meeting is posted at the place of the meeting,  
2 | and no meeting shall be held."

3 | SECTION 3. Statutory material to be repealed is bracketed and  
4 | stricken. New statutory material is underscored.

5 | SECTION 4. This Act shall take effect upon its approval.

2

**BOARDS AND COMMISSIONS  
DIRECTORY  
July 1, 2012**

	<b>Board/Commission</b>	<b>Department</b>
1.	ACCOUNTANCY, State Board of Public	DCCA
2.	ACUPUNCTURE, Board of	DCCA
3.	AEROSPACE Advisory Committee, Hawai'i	DBEDT
4.	AGRIBUSINESS Development Corporation, Board of Directors	DOA
5.	AGRICULTURE, Board of	DOA
6.	ALOHA ORDER of MERIT	GOV
7.	ALOHA TOWER DEVELOPMENT CORPORATION, Board of Directors	DBEDT
8.	AQUATIC LIFE and WILD LIFE Advisory Committee, Kaua'i	DLNR
9.	BARBERING and COSMETOLOGY, State Board of	DCCA
10.	BOXING Commission of Hawai'i, State	DCCA
11.	BROADBAND ASSISTANCE Advisory Council	DCCA
12.	CABLE Advisory Committee	DCCA
13.	CAMPAIGN SPENDING Commission	DAGS
14.	CHILDHOOD OBESITY PREVENTION Task Force	DOH
15.	CHILDRENS' TRUST FUND Advisory Board, Hawai'i	DOH
16.	CHIROPRACTIC EXAMINERS, State Board of	DCCA
17.	CIVIL DEFENSE Advisory Council	DOD
18.	CIVIL RIGHTS Commission	DLIR
19.	COMMUNITY DEVELOPMENT Authority, Hawai'i (He'eia District)	DBEDT
20.	COMMUNITY DEVELOPMENT Authority, Hawai'i (Kaka'ako District)	DBEDT
21.	COMMUNITY DEVELOPMENT Authority, Hawai'i (Kalaeloa District)	DBEDT
22.	COMMUNITY-BASED ECONOMIC DEVELOPMENT Advisory Council	DBEDT
23.	CONTRACTORS LICENSE Board	DCCA
24.	CORRECTIONAL INDUSTRIES Advisory Committee	PSD
25.	CORRECTIONS POPULATION MANAGEMENT Commission	PSD
26.	CRIME VICTIM COMPENSATION Commission	PSD
27.	CULTURE and the ARTS Commission, State Foundation on	DAGS
28.	DEFENDER Council	B&F
29.	DEFERRED COMPENSATION PLAN, Board of Trustees of the	DHRD
30.	DENTAL EXAMINERS, Board of	DCCA
31.	DEVELOPMENTAL DISABILITIES, State Council on	DOH
32.	DISABILITY and COMMUNICATION ACCESS Board	DOH
33.	DRUG ABUSE and CONTROLLED SUBSTANCES, Hawai'i Advisory Commission on	DOH
34.	DRUG PRODUCT SELECTION Board	DOH
35.	EARLY INTERVENTION COORDINATING Council, Hawai'i	DOH
36.	EARLY LEARNING ADVISORY Board	DOE
37.	EAST-WEST CENTER CORPORATION, Board of Directors for	GOV
38.	EDUCATION, Board of	GOV
39.	EDUCATION Commission of the States	GOV
40.	ELDER AFFAIRS, Policy Advisory Board for	DOH
41.	ELECTRIC DEVICE RECYCLING Task Force	DOH
42.	ELECTRICIANS and PLUMBERS, Board of	DCCA
43.	ELEVATOR MECHANICS LICENSING Board	DCCA
44.	EMERGENCY MEDICAL SERVICES Advisory Committee	DOH
45.	EMPLOYEES' RETIREMENT SYSTEM, Board of Trustees	B&F
46.	EMPLOYER-UNION HEALTH BENEFITS TRUST FUND, Board of Trustees	B&F
47.	ENDANGERED SPECIES RECOVERY Committee	DLNR
48.	ENGINEERS, ARCHITECTS, SURVEYORS, and LANDSCAPE ARCHITECTS, Board of Professional	DCCA
49.	ENHANCED 911 Board	DAGS
50.	ENVIRONMENTAL Council	DOH
51.	ETHICS Commission, State	Legislative Auditor
52.	FATHERHOOD, Commission on	DHS



53.	HAWAIIAN HOMES Commission	DHHL
54.	HEALTH and HUMAN SERVICES, Community Council on Purchase of	DAGS
55.	HEALTH AUTHORITY, Hawai'i	B&F
56.	HEALTH CONNECTOR, Hawai'i, Board of Directors of the	DCCA
57.	HEALTH COORDINATING Council, Statewide	DOH
58.	HEALTH PLANNING Council, Hawai'i County Subarea	DOH
59.	HEALTH PLANNING Council, Honolulu Subarea	DOH
60.	HEALTH PLANNING Council, Kaua'i County Subarea	DOH
61.	HEALTH PLANNING Council, Tri-Isle Subarea	DOH
62.	HEALTH PLANNING Council, West Oahu Subarea	DOH
63.	HEALTH PLANNING Council, Windward Oahu Subarea	DOH
64.	HEALTH SYSTEMS CORPORATION, Board of Directors of the, Hawai'i	DOH
65.	HEALTH, Board of	DOH
66.	HEMIC OVERSIGHT Council	DCCA
67.	HIGH TECHNOLOGY DEVELOPMENT CORPORATION, Board of Directors	DBEDT
68.	HIGH TECHNOLOGY INNOVATION CORPORATION, Board of Directors	DBEDT
69.	HIGHWAY SAFETY Council, State	DOT
70.	HISTORIC PLACES REVIEW Board, Hawai'i	DLNR
71.	HOISTING MACHINE OPERATORS Advisory Board	DLIR
72.	HOUSING FINANCE AND DEVELOPMENT CORPORATION, Hawai'i (HHFDC)	DBEDT
73.	HUMANITIES, Hawai'i Council for the	GOV
74.	HURRICANE RELIEF FUND, Board of Directors of the Hawai'i	DCCA
75.	INDEPENDENT LIVING Council of Hawai'i, Statewide	GOV
76.	INFORMATION TECHNOLOGY STEERING Committee	DAGS
77.	INTERAGENCY Council on HOMELESSNESS	DHS
78.	ISLAND BURIAL Council, Island of Hawai'i	DLNR
79.	ISLAND BURIAL Council, Island of Molokai	DLNR
80.	ISLAND BURIAL Council, Island of Oahu	DLNR
81.	ISLAND BURIAL Council, Islands of Kaua'i and Ni'ihau	DLNR
82.	ISLAND BURIAL Council, Islands of Maui and Lanai	DLNR
83.	JUDICIAL SELECTION Commission	Judiciary
84.	JUVENILE JUSTICE State Advisory Council	DHS
85.	KAHANA VALLEY LIVING PARK Planning Council	DLNR
86.	KAHO'OLAWA ISLAND RESERVE Commission	DLNR
87.	KANEOHE BAY REGIONAL Council	DLNR
88.	KING KAMEHAMEHA CELEBRATION Commission	DAGS
89.	KOKE'E STATE PARK ADVISORY Council	DLNR
90.	LABOR and INDUSTRIAL RELATIONS APPEALS Board	DLIR
91.	LABOR RELATIONS Boards, Hawai'i	DLIR
92.	LAND and NATURAL RESOURCES, Board of	DLNR
93.	LAND USE Commission	DBEDT
94.	LANGUAGE ACCESS Advisory Council	DOH
95.	LEGACY LAND CONSERVATION Commission	DLNR
96.	MASSAGE THERAPY, Board of	DCCA
97.	MEDICAL Advisory Board	DOT
98.	MEDICAL Board, Hawai'i	DCCA
99.	MEDICAL EDUCATION Council, Hawai'i	UH
100.	MENTAL HEALTH and SUBSTANCE ABUSE, Hawai'i Service Area Board	DOH
101.	MENTAL HEALTH and SUBSTANCE ABUSE, Kaua'i Service Area Board	DOH
102.	MENTAL HEALTH and SUBSTANCE ABUSE, Maui Service Area Board	DOH
103.	MENTAL HEALTH and SUBSTANCE ABUSE, Oahu Service Area Board	DOH
104.	MENTAL HEALTH, State Council on	DOH
105.	MERIT APPEALS Board	DHRD
106.	MOLOKAI IRRIGATION SYSTEM WATER USERS Advisory Board	DOA
107.	MOTOR VEHICLE INDUSTRY LICENSING Board	DCCA
108.	MOTOR VEHICLE REPAIR INDUSTRY Board	DCCA
109.	NATIONAL and COMMUNITY SERVICE, Hawai'i Commission for	UH
110.	NATIVE HAWAIIAN ROLL Commission	OHA
111.	NATURAL AREA RESERVES SYSTEMS Commission	DLNR

112.	NATURAL ENERGY LABORATORY of Hawai'i Authority. Board of Directors	DBEDT
113.	NATUROPATHIC MEDICINE. State Board of	DCCA
114.	NURSING Advisory Board. Center for	UH
115.	NURSING. State Board of	DCCA
116.	OPTOMETRY. Board of Examiners in	DCCA
117.	PACIFIC INTERNATIONAL SPACE CENTER for EXPLORATION Systems. Board of Directors	DBEDT
118.	PAROLING AUTHORITY. Hawai'i	PSD
119.	PERFORMANCE PARTNERSHIPS Board. Hawai'i	GOV
120.	PEST CONTROL Board	DCCA
121.	PESTICIDES. Advisory Committee on	DOA
122.	PHARMACY. Board of	DCCA
123.	PHYSICAL THERAPY. Board of	DCCA
124.	PRIVATE DETECTIVES and GUARDS. Board of	DCCA
125.	PROCUREMENT POLICY Board	DAGS
126.	PROCUREMENT POLICY NOMINATING Committee	DAGS
127.	PSYCHOLOGY. Board of	DCCA
128.	PUBLIC HOUSING AUTHORITY. Hawai'i Board of Directors (HPHA)	DHS
129.	PUBLIC LAND DEVELOPMENT CORPORATION. Hawai'i	DLNR
130.	PUBLIC UTILITIES Commission	B&F
131.	RADIOLOGIC TECHNOLOGY Board	DOH
132.	REAL ESTATE Commission	DCCA
133.	REENTRY Commission	PSD
134.	REGIONAL BOARD. HHSC East Hawai'i	DOH
135.	REGIONAL BOARD. HHSC Kaua'i	DOH
136.	REGIONAL BOARD. HHSC Maui	DOH
137.	REGIONAL BOARD. HHSC Oahu	DOH
138.	REGIONAL BOARD. HHSC West Hawai'i	DOH
139.	REGISTRATION. HAWAII, Board of	DAGS
140.	REGISTRATION. KAUA'I and NI'IIHAU. Board of	DAGS
141.	REGISTRATION. MAUI. MOLOKAI. LANAI and KAHOO LAWE. Board of	DAGS
142.	REGISTRATION. OAHU. Board of	DAGS
143.	REHABILITATION Council. State	DHS
144.	RESEARCH CORPORATION, University of Hawai'i. Board of Directors of the	UH
145.	REVENUES. Council on	Taxation
146.	SISTER STATE Committee. Hawai'i	DBEDT
147.	SMALL BUSINESS REGULATORY Review Board	DBEDT
148.	SPEECH PATHOLOGY and AUDIOLOGY. Board of	DCCA
149.	STADIUM Authority	DAGS
150.	STRATEGIC DEVELOPMENT CORPORATION. Board of Directors. Hawai'i	DBEDT
151.	TASK FORCE Created by ACT 170	OHA
152.	TAX REVIEW Commission	Taxation
153.	TAXATION REVIEW. 1 <sup>st</sup> Taxation District (Oahu). Board of	Taxation
154.	TAXATION REVIEW. 2 <sup>nd</sup> Taxation District (Maui). Board of	Taxation
155.	TAXATION REVIEW. 3 <sup>rd</sup> Taxation District (Hawai'i). Board of	Taxation
156.	TAXATION REVIEW. 4 <sup>th</sup> Taxation District (Kaua'i). Board of	Taxation
157.	TEACHER STANDARDS Board. Hawai'i	DOE
158.	TOBACCO PREVENTION and CONTROL Advisory Board	DOH
159.	TOURISM AUTHORITY. Board of Directors. Hawai'i	DBEDT
160.	TRANSPORTATION. Commission on	DOT
161.	UNIFORM LEGISLATION. Commission to Promote	AG
162.	UNIVERSITY OF HAWAII Board of Regents	UH
163.	UNIVERSITY OF HAWAII Board of Regents. Candidate Advisory Council	UH
164.	VETERANS' SERVICES. Advisory Board of	DOD
165.	VETERINARY EXAMINERS. Board of	DCCA
166.	WASTEWATER TREATMENT PLANTS. Board of CERTIFICATION of OPERATING PERSONNEL in	DOH
167.	WATER RESOURCE MANAGEMENT. Commission on	DLNR
168.	WATER RESOURCE MANAGEMENT NOMINATING Committee	DLNR

169.	WATER SYSTEM OPERATORS, Board of Certification of Public	DOH
170.	WESTERN INTERSTATE COMMISSION for HIGHER EDUCATION (WICHE)	UH
171.	WOMEN, Commission on the STATUS of	DHS
172.	WORKFORCE DEVELOPMENT Council, Hawai'i	DLIR



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COMMITTEE ON CONSUMER PROTECTION AND COMMERCE  
Wednesday, February 12, 2014, 2:10 pm, Room 325

HB 2382, RELATING TO PUBLIC AGENCY MEETINGS

TESTIMONY

Douglas Meller, Legislative Committee, League of Women Voters of Hawaii

Chair McKelvey, Vice-Chair Kawakami and Committee Members:

**The League of Women Voters supports HB2382 in concept, but requests that the bill be amended** to simply allow timely electronic mail notice as an alternative to timely postal notice with no change in the remedies and penalties for failure to provide timely notice to persons who have requested such notice.

We suggest that you consult the Office of Information Practices for appropriate statutory language. We do not believe it is necessary to establish criminal penalties for failure to send timely notice, as currently proposed in HB2382. We also think it would be problematic to require very small boards and commissions to establish a web site (to provide instructions on submitting testimony), as currently proposed by HB2382.

Thank you for the opportunity to submit testimony.



**STATE OF HAWAII**  
DEPARTMENT OF HUMAN SERVICES  
HAWAII PUBLIC HOUSING AUTHORITY  
1002 NORTH SCHOOL STREET  
Honolulu, Hawaii 96817

BARBARA E. ARASHIRO  
EXECUTIVE ASSISTANT

Statement of  
**Hakim Ouansafi**  
Hawaii Public Housing Authority  
Before the

**HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE**

February 12, 2014 2:10 P.M.  
Room 325, Hawaii State Capitol

In consideration of

**House Bill 2382**  
**Relating to Public Agency Meetings**

Honorable Chair McKelvey and Members of the House Committee on Consumer Protection and Commerce, thank you for the opportunity to provide you with comments regarding House Bill (H.B.) 2382, relating to public agency meetings.

The Hawaii Public Housing Authority (HPHA) supports the enactment of this measure, which would improve the ability of boards and commissions to make meeting notices readily available to the public, with comments.

In this day and age, the HPHA believes that electronic access to board meeting notifications and other information about the meetings will not only improve the public's access to the meetings, but will also save taxpayer's money from the costs of printing and postage, as well as assist our environment by using less paper.

However, the HPHA would like to see section (f) removed for two reasons. The first reason is because the HPHA staff prepare the notices and information, and we do not believe that they would willfully send out these materials after the required time period. The second reason is because none of the HPHA Board of Directors prepare or send out the notice and information, so they would not be affected.

The HPHA appreciates the opportunity to provide the House Committee on Consumer Protection and Commerce with the agency's position regarding H.B. 2382. We respectfully request the Committee to pass this measure favorably, and we thank you very much for your dedicated support.