

STAND. COM. REP. NO. 2321

Honolulu, Hawaii

FEB 13 2014

RE: S.B. No. 2289
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Technology and the Arts, to which was referred S.B. No. 2289 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS,"

begs leave to report as follows:

The purpose and intent of this measure is to improve the ability of boards and commissions to make meeting notices readily available to the public by:

- (1) Requiring meeting notices to include an internet web address for instructions on submitting testimony for a meeting;
- (2) Allowing boards and commissions to provide notice of a meeting by either first class mail or electronic means, including electronic mail and text messaging;
- (3) Requiring boards and commissions to provide instructions and contact information for persons to request to be included on the list for notification of meetings to be sent via postal mail or electronic means; and
- (4) Specifying that any person who fails to properly send meeting notices by postal mail or electronic means or fails to send meeting notices in a timely manner shall be subject to penalties.



Your Committee received testimony in support of this measure from the Office of Information Practices; Hawaii Public Housing Authority; Hawaii Strategic Development Corporation; League of Women Voters; and one individual. Your Committee received comments on this measure from the University of Hawaii Board of Regents.

Your Committee finds that boards and commissions have a duty to ensure that meeting notices are readily available to the public under the Sunshine Law, chapter 92, Hawaii Revised Statutes. Existing law requires notice to be sent by postal mail; however, with postage becoming more cost prohibitive and more members of the public relying on receiving mail through electronic means, electronic mailing of meeting notices is a more efficient and effective alternative to conventional mail. This measure will improve the ability of boards and commissions, of all sizes and a variety of resources, to make meeting notices readily available to the public.

Your Committee has amended this measure by:

- (1) Eliminating the requirement that meeting notices must include internet addresses;
- (2) Eliminating the requirement that boards and commissions must provide instructions and contact information for persons to request to be included on the notification list;
- (3) Eliminating the provision allowing boards and commissions to send meeting notices by text messaging;
- (4) Eliminating the penalty provision;
- (5) Amending section 1 to reflect the amended purpose of this measure; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Technology and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2289, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2289,



S.D. 1, and be referred to the Committees on Judiciary and Labor and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Technology and the
Arts,

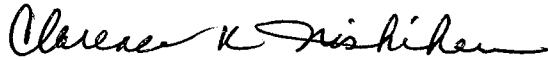


GLENN WAKAI, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Technology and the Arts
TEC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2289	TEC, JDL/WAM	2/4/14		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	/			
NISHIHARA, Clarence K. (VC)	/			
IHARA, Jr., Les	/			
TOKUDA, Jill N.	/			
SLOM, Sam				/
TOTAL	4			/
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes