

**SB2249**

**LATE**



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-SEVENTH LEGISLATURE, 2014**

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 2249, RELATING TO PUBLIC AGENCY MEETINGS.

**BEFORE THE:**

SENATE COMMITTEE ON JUDICIARY AND LABOR

**DATE:** Tuesday, January 28, 2014

**TIME:** 10:00 a.m.

**LOCATION:** State Capitol, Room 016

**TESTIFIER(S):** David M. Louie, Attorney General, or  
Margaret S. Ahn, Deputy Attorney General

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Chair Hee and Members of the Committee:

The Department of the Attorney General supports this bill.

This bill allows proposed administrative rules to be described in public meeting agendas under section 92-7, Hawaii Revised Statutes (HRS), in the same manner as in public hearing notices under section 91-3, HRS.

When agencies are going to consider proposed administrative rules at their public meetings (which are separate from the public hearings required under section 91-3, HRS, for the actual adoption of the rules), their meeting agendas must describe each section of each rule. Many agencies going through the rule adoption or amendment process will adopt or amend several sections, or entire chapters, at the same time. To ward off a challenge that their agendas do not describe each rule section with sufficient detail, some agencies have resorted to attaching the entire text of their rules to their agendas, resulting in agendas that are hundreds of pages. This creates a burden on public agencies and frustrates the purpose of a meeting agenda to provide the public with an easy-to-understand notice of what is going to be considered at the public meeting.

We respectfully ask the Committee to pass this bill.



**DEPARTMENT OF BUSINESS,  
ECONOMIC DEVELOPMENT & TOURISM**

NEIL ABERCROMBIE  
GOVERNOR

RICHARD C. LIM  
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Written Statement of  
**RICHARD C. LIM**  
**Director**  
Department of Business, Economic Development, and Tourism

before the  
**SENATE COMMITTEE ON JUDICIARY AND LABOR**

Tuesday, January 28, 2014  
10:00 a.m.  
State Capitol, Conference Room 016  
in consideration of

**SB 2249**  
**RELATING TO PUBLIC AGENCY MEETINGS.**

Chair Hee, Vice Chair Shimabukuro, and Members of the Senate Committee on Judiciary and Labor.

The Department of Business, Economic Development, and Tourism (DBEDT) **supports** SB 2249 which allows proposed adoption, amendment or repeal of administrative rules to be described in meeting agendas in the same manner as in public hearing notices.

The changes will greatly assist in the agenda process of the Small Business Regulatory Review Board (SBRRB), an attached agency of DBEDT that is statutorily required to review proposed amended and new administrative rules impacting small business. This process will significantly reduce the length of time and volume of the SBRRB's agendas by removing the need to incorporate the entire rule in the agenda, which may entail hundreds of pages.

Overall, while this process will not take away the ability for the public and businesses to be properly noticed, it will save the SBRRB a significant amount of time and effort, and also help to deter frivolous claims based solely on an agenda's rule description.

Thank you for the opportunity to offer testimony in support of this measure.