

SB 2962

RELATING TO PUBLIC AGENCY MEETINGS

Allows members of a county council to jointly attend any meetings or presentations without violating the sunshine law as long as the meeting or presentation is open to the public.

PSM, JDL

Council Chair
Gladys C. Baisa

Vice-Chair
Robert Carroll

Presiding Officer Pro Tempore
Michael P. Victorino

Council Members
Elle Cochran
Donald G. Couch, Jr.
Stacy Crivello
Don S. Guzman
G. Riki Hokama
Mike White



Director of Council Services
David M. Raatz, Jr., Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/council

February 3, 2014

TO: The Honorable Will Espero, Chair
Senate Committee on Public Safety, Intergovernmental and Military Affairs

FROM: Gladys C. Baisa
Council Chair *Gladys C. Baisa*

SUBJECT: **HEARING OF FEBRUARY 6, 2014; TESTIMONY IN SUPPORT OF SB 2962,
RELATING TO PUBLIC AGENCY MEETINGS**

Thank you for the opportunity to testify in support of this important measure. The purpose of this measure is to allow members of a county council to jointly attend any meetings or presentations of non-council entities without violating the Sunshine Law as long as the meeting or presentation is open to the public.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

1. As elected officials, it is the job of council members to find out how people in our community feel about policy issues, to become educated on those issues, and to enact legislation addressing them when feasible. This measure will increase council members' access to our constituents and to educational opportunities as they arise.
2. Allowing council members to attend such public meetings will not jeopardize openness in government or in legislative decision making. Council members have no control over the agenda, discussion, or outcome of meetings of non-council entities. To the contrary, open participation in such meetings by elected officials will increase transparency and help to ensure responsiveness of council members to the public they serve.

I would ask, however, that an adjustment be made to the wording of proposed Section 92-2.5(i), as shown with deletions bracketed and additions underscored, as follows: "(i) Notwithstanding the foregoing provisions, members of a county council may jointly attend and speak at a community, educational, or informational meeting or presentation[, including a meeting] of another entity, including a legislative hearing, convention, seminar, conference, or community meeting, without limitation; provided that the meeting or presentation is open to the public." This wording clarifies the measure is not intended to encompass meetings of a county council or its committees.

For the foregoing reasons, I **support** this measure.

Council Chair
Gladys C. Baisa

Vice-Chair
Robert Carroll

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January 30, 2014

TO: Honorable Will Espero, Chair
Committee on Public Safety, Intergovernmental and Military Affairs

FROM: Robert Carroll *Robert Carroll*
Council Vice Chair

DATE: Thursday, February 06, 2014

SUBJECT: **SUPPORT OF SB 2962, RELATING TO PUBLIC AGENCY MEETINGS**

I support SB 2962 for the reasons cited in testimony submitted by the Maui County Council Chair, and urge you to support this measure.

Council Chair
Gladys C. Baisa

Vice-Chair
Robert Carroll

Council Members
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Donald G. Couch, Jr.
Stacy Crivello
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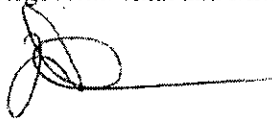


Director of Council Services
David M. Raatz, Jr., Esq.

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February 3, 2014

TO: The Honorable Will Espero, Chair
Senate Committee on Public Safety, Intergovernmental and Military Affairs

FROM: Don Couch
Council Member, South Maui District 

DATE: Thursday, February 6, 2014

SUBJECT: **SUPPORT OF SB 2962, RELATING TO PUBLIC AGENCY MEETINGS**

Thank you for the opportunity to testify in support of this measure. I provide this testimony as an individual member of the Maui County Council.

I support SB 2962 for the reasons cited in testimony submitted by the Maui County Council Chair, and urge you to support this measure.



Hawaii
COMMON CAUSE
Holding Power Accountable

Senate Committee on Public Safety, Intergovernmental and Military Affairs
Chair Will Espero, Vice Chair Rosalyn Baker

Tuesday 02/06/2014 at 03:00PM in Room 224
SB2962– Relating to Public Agency Meetings

TESTIMONY OF OPPOSITION, WITH SUGGESTED AMENDMENTS
Carmille Lim, Executive Director, Common Cause Hawaii

Dear Chair Espero, Vice Chair Baker, and members of the Committee:

Common Cause Hawaii opposes SB2962, and offers amendments. This bill would allow two or more city council members to jointly attend any public meeting or presentation without violating the sunshine law.

In the proposed section (i), the “without limitation” language is most concerning.

SB2962 should be amended to deal specifically with meetings not related to official board business. Additionally, we would suggest adding a clause that indicates that if anything related to board business comes up, then Section 1-(1)(e) would apply, including reporting at the next meeting of the council/board.

Thank you for the opportunity to testify on SB2962.



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COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS

Thursday, February 6, 2014, 3:00 p.m., Conference Room 224

TESTIMONY

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

Chair Espero, Vice Chair Baker, and Committee Members:

The League of Women Voters is strongly opposed to amending the "sunshine law" as proposed in this bill.

Abusive practices would be legalized if the bill became law. For example, if the bill became law, a developer could host a meeting open to the public to "educate" a county council about his pending zoning application; a county council quorum could attend; and county council members could "trade votes" (e.g. council members could orally promise to vote a certain way on the developer's application if other council member orally promised to vote a certain way on some other bill before the council.) Unfortunately, SB 2962 "without limitation" would allow such abuses.

Thank you for the opportunity to submit testimony.

SB2962

Submitted on: 2/4/2014

Testimony for PSM on Feb 6, 2014 15:00PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Stacy Helm Crivello	Individual	Support	No

Comments: I support testimony submitted in by Maui County Chair Gladys Baisa.

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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