

Honolulu, Hawaii

February 17, 2017

RE: H.B. No. 991

H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 991 entitled:

"A BILL FOR AN ACT RELATING TO OPEN GOVERNMENT,"

begs leave to report as follows:

The purpose of this measure is to promote openness in government by improving public access to meeting notices, documents to be discussed at meetings, and meeting minutes of Hawaii's boards and commissions. Specifically, this measure:

- (1) Requires boards to file board meeting packets in their office for public inspection and provide access to either an electronic or hard copy version of the packet;
- (2) Requires a board to allow interested persons to view documents, reports, and proposals under consideration at a board meeting in either hard copy or electronic format;
- (3) Allows for the electronic mailing of meeting notices; and
- (4) Requires meeting notices and minutes to be posted on a board's website, or a designated State or county website, as appropriate.



The Society of Professional Journalists, Hawaii Chapter, League of Women Voters of Hawaii, and several concerned individuals testified in support of this measure. The Office of Information Practices, Liquor Commission of the City and County of Honolulu, and Kailua Neighborhood Board testified in opposition to this measure. The Department of Budget and Finance, Department of Taxation, Department of Land and Natural Resources, Employees' Retirement System, City and County of Honolulu, The Civil Beat Law center for the Public Interest, and two concerned individuals provided comments.

Your Committee finds that the public has made numerous complaints about the lack of access to information received by boards and the failure to provide an opportunity to participate in board meetings. As such, your Committee has amended this measure by deleting its contents and replacing it with language that:

- (1) Sets out a practical approach for the electronic mailing and posting of notices, the disclosure of board packets and information, and the online posting of meeting minutes; and
- (2) Establishes a working group to develop board packet disclosure requirements that will meet the public interest of greater disclosure of board meetings.

Technical, nonsubstantive amendments have also been made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 991, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 991, H.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ANGUS L.K. MCKELVEY, Chair



