

DAVID Y. IGE
GOVERNOR



WESLEY K. MACHIDA
DIRECTOR

LAUREL A. JOHNSTON
DEPUTY DIRECTOR

**STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE**

P.O. BOX 150
HONOLULU, HAWAII 96810-0150

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY

TESTIMONY BY WESLEY K. MACHIDA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON
CONSUMER PROTECTION AND COMMERCE

ON HOUSE BILL NO. 991

February 7, 2017

2:00 p.m.

Conference Room 329

RELATING TO OPEN GOVERNMENT

H.B. 991 would require that all board information provided to board members for board meetings of all state and county government boards be provided to any person requesting such information in either electronic form or in hard copy, at the time the board packet is distributed to the board members.

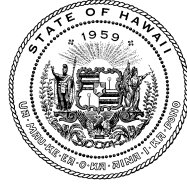
While the department will not opine on the merits of this proposal, we are very concerned about the additional unbudgeted costs to state and county governments in order to comply with such a broad mandate. While some state programs have made improvements in electronically transmitting documents for internal review and approvals, the requirement for external posting and transmittal of board documents would require extensive staff training and additional information technology resources that do not presently exist within all state departments.

We suggest that the legislature consider working with a select number of state and county boards that choose to voluntarily participate in a pilot project. The pilot project would allow the development and documentation of a successful workflow, including necessary staff and other resources, to assure compliance before proceeding with enactment of a statewide mandate.

Thank you for your consideration of our comments.

DAVID Y. IGE
GOVERNOR

SHAN TSUTSUI
LT. GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TAXATION
P.O. BOX 259
HONOLULU, HAWAII 96809
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MARIA E. ZIELINSKI
DIRECTOR OF TAXATION

DAMIEN A. ELEFANTE
DEPUTY DIRECTOR

To: The Honorable Angus L.K. McKelvey, Chair
and Members of the House Committee on Consumer Protection & Commerce

Date: Tuesday, February 7, 2017
Time: 2:00 P.M.
Place: Conference Room 329, State Capitol

From: Maria E. Zielinski, Director
Department of Taxation

Re: H.B. 991, Relating to Open Government

The Department of Taxation (Department) appreciates the intent of H.B. 991 and provides the following comments for your consideration.

Sections 1 and 2 of H.B. 991 requires that at the time any documents are distributed to board members, the documents are also made available to the public via electronic or a hard copy to all persons requesting the information.

Section 3 of H.B. 991 requires the meeting notice to be posted on the electronic calendar on the State's internet website maintained by the State (State's electronic calendar) or the appropriate county's internet website maintained by the respective county, in addition to filing a notice with the Office of the Lieutenant Governor or the appropriate county clerk's office, no less than six days before the meeting. Failure to meet both filing requirements of the meeting notice will result in cancellation of the meeting.

Section 5 of H.B. 991 requires the minutes of board meeting be posted on the board's website maintained by the State or appropriate county. It prohibits any board from having a future meeting until the minutes are posted within thirty days of the meeting. The measure is effective on January 1, 2018.

First, the Department notes that it provides administrative support to the Council on Revenues (COR) and the Tax Review Commission (TRC). The Department has concerns regarding the requirement set forth in Section 3 that modifies section 92-7(b), Hawaii Revised Statutes, because the State's electronic calendar requires manual entry of the agendas. Manual entry of the agendas has led to non-substantive and typographical errors in the past. It seems that this new requirement to post agendas to the State's master calendar could lead to cancellation of meetings based on an error as small as a typo or a missing word.

The COR and TRC are voluntary boards, which at times has made scheduling and rescheduling meetings challenging. By statute, the COR must meet and report to the Governor and Legislature during six prescribed meeting months. The Department has concerns that a minor error to the posting of the COR's agenda would require a meeting to be cancelled and rescheduled, possibly impacting their ability to meet during a month prescribed by statute. If the Committee wishes to advance this measure, the Department requests that posting the notice to the State's electronic calendar for both the COR and the TRC, be an option, rather than a requirement.

Second, the Department notes that is able to meet the requirements set forth in Sections 1, 2, and 5 of this measure. However, there have been instances when board members brought documents to meetings that were not previously provided to the Department. In these cases, the Department will makes copies for the attendees in a timely manner; if the Department is aware that a board member may bring other documents to the board meeting, the Department has asked that the board member bring enough copies of the materials for all attendees.

Finally, the Department notes that there may be a typo in the meeting minute dispute provision in the posting of the minutes on the board's website set forth in Section 5. The Department suggests the following correction to Section 5, page 9, starting with line 4:

If there is a dispute as to whether minutes were timely posted on [~~an electronic calendar~~] the board's website maintained by the State or appropriate county, a printout of the electronic time-stamped minutes shall be conclusive evidence of the electronic posting date.

Thank you for the opportunity to provide comments.

DAVID Y. IGE
GOVERNOR



THOMAS WILLIAMS
EXECUTIVE DIRECTOR

KANOE MARGOL
DEPUTY EXECUTIVE DIRECTOR

STATE OF HAWAII
EMPLOYEES' RETIREMENT SYSTEM

WRITTEN ONLY

TESTIMONY BY THOMAS WILLIAMS
EXECUTIVE DIRECTOR, EMPLOYEES' RETIREMENT SYSTEM
STATE OF HAWAII

TO THE HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
ON
HOUSE BILL NO. 991

FEBRUARY 7, 2017, 2:00 P.M.
ROOM 329

RELATING TO OPEN GOVERNMENT

Chair McKelvey, Vice Chair Ichiyama and Members of the Committee,

H.B. 991 would require that board packets of the board meetings of the Employees' Retirement System (ERS) be provided to persons requesting notification of board meetings either electronically or in hard copy at the time the board packet is distributed to the board members.

The ERS Board of Trustees has not had the opportunity to review H.B. 991 and therefore has not taken a formal position on this proposal; however, the ERS staff has the following comments and concerns:

- ERS does not at present have the capability of producing entirely electronic board packets. The information presented to our board is often voluminous and delivered at, or just prior to, our meetings. The voluminous materials include detailed investment manager reports, consultant observations and recommendations, actuarial evaluations and experience studies sometimes equaling 150 or more pages. In addition, these materials often include confidential information (normally held in executive session) which would have to be redacted or separated by the presenters or ERS staff in order to be released to the public.



Employees' Retirement System
of the State of Hawaii

- Our board's regular meetings are held the second Monday of each month with investment updates through the end of the prior month. Vendor requirements that such information be audited prior to its presentation causes in many instances materials to be delivered to the board by presenters at the board meetings. Were we to be required to mail any such materials it would prove costly and time consuming to photocopy or scan.
- Not all public requesters may want hard or electronic copies of all agenda item attachments. They may be interested in one item or another for that month, or none at all. Arbitrary requests for board packets for all meetings may not only be expensive but wasteful as well.
- A large commercial industry has developed around the collection and dissemination of investment and policy decision-making on behalf of public pension funds. The requirement that we maintain a list of all requestors of information and that we automatically mail materials, electronic or otherwise, will impose a substantial burdens and expense on the ERS and further support commercialization of such materials without providing meaningful added benefit to members.
- The linking of our board's ability to notice and/or hold a meeting and any resulting delay rising from unintentional or unavoidable delay in the production and publishing of meeting minutes may result in incalculable risk and financial harm to an entity such as the ERS which depends upon timely decision-making for investment, litigation and other purposes.

On behalf of the Board of Trustees and staff of ERS we wish to thank you for the opportunity to testify.

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 7, 2017, 2:00 p.m.
State Capitol, Conference Room 329

Re: Testimony on H.B. No. 991
Relating to Open Government

Thank you for the opportunity to submit testimony on this bill. The Office of Information Practices (“OIP”) supports the intent of this bill to provide for electronic mailing and posting of meeting notices, but OIP **opposes** its present form and respectfully suggests that **H.B. 165 sets out a much more practicable starting point for both electronic mailing and posting of notices and the proposed new board packet disclosure and online posting of minutes requirements if additional amendments are made.**

OIP has a number of concerns with H.B. 991 being considered at this time. First, the bill would add language requiring disclosure of board packets in two different places, once in a new section to be added to the Sunshine Law, part I of chapter 92, and then additionally with somewhat different language to be added to the existing section 92-3, which currently sets out the general open meeting requirement of the Sunshine Law, and is thus an awkward place to include a new record disclosure requirement. The new board packet section does not include a definition of “board packet.” The language added to section 92-3 does include a definition of “board packet,” but it is limited to that section, so it apparently would

not apply to the new section. It is not clear in either the new section or the language added to section 92-3 how disclosure is to take place – whether the board must mail material to everyone on its mailing list, post it somewhere, or have it available upon request.

The new requirement to post minutes online applies “regardless of whether the board has formally reviewed or approved the minutes.” Since the Sunshine Law does not currently require a board to formally review or approve minutes, nor does it allow a board to withhold minutes on the basis that they have not been approved or reviewed, this language could confusingly imply that boards are normally required to review or approve minutes under the Sunshine Law. The minutes posting requirement also includes a punitive provision prohibiting a board from meeting until its minutes are posted, which could prevent a board from even holding an emergency meeting until such time as its staff had caught up on all minutes. The minutes language also provides that a board behind on its minutes “shall post a new meeting notice for any subsequently scheduled meeting.” Since boards are currently required to post notice of every meeting, this provision is very confusing and seems to suggest that a board that is not behind on its minutes is not required to post meeting notices, which would be contrary to the intent of the Sunshine Law. Additionally, although this bill requires posting the minutes on a board’s website or other state or county website, it states that in the event of a dispute as to when minutes were posted “on an electronic calendar maintained by the State or appropriate county, a printout of the electronic time-stamped minutes shall be conclusive evidence of the electronic posting date.” Given that the minutes are not supposed to be posted on the state or county calendar in the first place, and the state or county calendars are not designed for the posting of minutes from past meetings, it makes no sense to look to the state or county calendar to determine

when minutes were posted on the board's website or other state or county website as required by this bill.

Given the many technical and practical flaws in this language, **OIP opposes the present form of this bill and strongly recommends that this Committee use the language from H.B. 165 instead** if it intends to pass out a bill requiring electronic notice, disclosure of board packets, and online posting of meeting minutes. **OIP will provide additional comments on H.B. 165 at a later date, if it is scheduled for hearing.**

Thank you for considering OIP's concerns and recommendations.



HAWAII COMMUNITY
DEVELOPMENT AUTHORITY



LATE

STATEMENT OF

JESSE K. SOUKI, EXECUTIVE DIRECTOR
HAWAII COMMUNITY DEVELOPMENT AUTHORITY

BEFORE THE

HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCERCE

ON

Tuesday, February 7, 2017
2:00 P.M.

State Capitol, Conference Room 329

in consideration of

HB991 – RELATING TO OPEN GOVERNMENT

David Y. Ige
Governor

Chair McKelvey, Vice Chair Ichiyama and members of the committee.

John Whalen
Chairperson

This testimony reflects my view alone. The Hawaii Community Development Authority (HCDA) has not acted on this measure.

Jesse K. Souki
Executive Director

In my capacity as the HCDA Executive Director, I respectfully offer **comments** on HB 991.

This bill has the laudable goal of making information on proposed board actions more available to the public, however, I recommend the committee consider the provisions in HB 165 instead.

The HCDA has adopted the practice of posting board packets to the website when it distributes the information to board members; however, the bill ought to allow amendments to the packets up to the time when a meeting is scheduled to commence. This will allow the board to consider the latest information covered by the agenda item. Otherwise, action may have to be delayed while a special meeting is convened, which would require additional resources and add burden to a citizen board.

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Section 5 of the bill is punitive and could prevent meetings, because a board might not be caught up with its minutes. Board minutes are currently made available in compliance with the law, and while we continue to strive for more transparency, we respectfully ask for the committee to consider HB 165 instead.

Thank you for the opportunity to provide comments on this bill.

DAVID Y. IGE
GOVERNOR OF
HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson



Before the House Committee on
CONSUMER PROTECTION & COMMERCE

Tuesday, February 7, 2017
2:00 PM
Conference Room 329

In consideration of
HOUSE BILL 991
RELATING TO OPEN GOVERNMENT

House Bill 991 proposes to increase transparency in government by including electronic and hard copy access to board packets, clarifying electronic notification requirements and requiring the posting of board minutes within thirty (30) days. **The Department of Land and Natural Resources (Department) opposes two sections of this bill in its current form and offers amendments.**

The Department has sixteen attached boards, commissions and committees. Most of them meet monthly and several of them may have extensive board packets attached to their meetings. The Department currently post board packets on its website and keeps copies of materials in the relevant boards' office. Mailing hard copies will increase the operating costs of the department significantly. Using the Board of Land and Natural Resources (Board) as an example, the department has calculated that it would costs about \$135,000 annually to copy and mail hard copy packets to the 47 people who currently ask for a hard copy of the Board's agenda.

Pages	Packets	Meetings	Copy costs	Postage costs	Total cost
250	47	22	0.5		\$ 129,250.00
	47	22		\$6	\$ 6,204.00
Total					\$ 135,454.00

The Department respectfully requests that the language in SECTION 1 be revised to read:

At the time the board packet is distributed to the board members, the board shall file the board packet in the board's office for public inspection and shall post the board packet on its website in a downloadable format.

The Board has two meetings per month. Often these meetings are complex and the meeting minutes must be carefully vetted. The Board has one secretary who is responsible for all board activities, including minutes. It is often very difficult to finish all of the minutes within 30 days and language of House Bill 991 as currently written would severely hamper the ability of the board to do its business. The Department respectfully suggests the following language change in SECTION 5:

*(b) The minutes shall be public records publicly posted on the board's website . . .and a **draft copy** shall be available within thirty days after the meeting.*

*If **draft** minutes are not publicly posted and available within thirty days of the meeting, the board shall be prohibited from meeting again until the minutes are posted and shall post a new meeting notice for any subsequently scheduled meetings . . .*

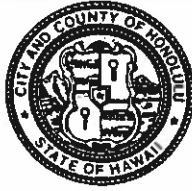
Draft minutes shall be defined as, at a minimum, a record of the board members in attendance, the motions made during the meeting, by whom and the second, and the vote on the motion or a tape recording of the meeting. Draft minutes shall be marked with a draft watermark or labeled draft.

Thank you for this opportunity to provide comments on this measure.

**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 or (808) 768-7333 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq • E-MAIL: liquor@honolulu.gov

KIRK CALDWELL
MAYOR



JOSEPH V. O'DONNELL
CHAIRMAN

NARSI A. GANABAN
CO-VICE CHAIR

MALAMA MINN
CO-VICE CHAIR

DARREN Y T. LEE
COMMISSIONER

FRANKLIN DON PACARRO, JR.
ADMINISTRATOR

ANNA C. HIRAI
ASSISTANT ADMINISTRATOR

February 6, 2017

The Honorable Angus L.K. McKelvey, Chair
The Honorable Linda Ichiyama, Vice Chair
and Members of the Committee on Consumer Protection & Commerce

Hearing: Tuesday, February 7, 2017
2:00 PM; Room 329

Position: Oppose as Written HB 991, Relating to Open Government

Dear Chair McKelvey, Vice Chair Ichiyama, and Members:

The Liquor Commission, City and County of Honolulu (Commission), appreciates the opportunity to provide testimony opposing House Bill 991, Relating to Open Government, as written.

The Commission fully supports and furthers the principles guaranteeing access for members of the public in the conduct of its weekly meetings. That said, there are several elements of House Bill 991 that should be clarified or modified, so as to balance public access without unduly burdening the licensees and license applicants that comprise the Commission's stakeholders.

1. Request Clarification of Sections 1 and 2.

Sections 1 and 2 propose to amend HRS Chapter 92 and HRS Section 92-3 to require boards to provide either electronic or hard copy of board packet documents to interested persons requesting same. Currently, Commission board packet documents are not maintained or distributed in electronic form, so public access to these materials would be by hard copy. Accordingly, the Commission would request confirmation that provision of hard copy would be subject to appropriate copy and mail charges as authorized by HAR § 2-71-19. While the Commission does not object to providing board packet documents at the time of their distribution to the Commission members, we feel the cost of providing these materials should not be borne by our licensees, whose fees provide the principal budgetary support for Commission operations. All other UIPA requests fulfilled by the Commission are subject to the search-segregation-review and copying-mailing charges authorized by HAR § 2-71-19, and we request confirmation of the same ability for the proposed requirement.

2. Oppose Section 5 as written.

Section 5 proposes a requirement that board meeting minutes be publicly posted on the board's website within 30 days of the meeting. If a board fails to make this posting, the proposed amendment would prohibit the board from meeting again until the minutes are posted. As the Commission currently posts meeting summaries on its website following each weekly hearing, we do not anticipate problems complying with this requirement. However, as the proposed amendment imposes an absolute prohibition if an agency fails to make the posting, the Commission would oppose this requirement as written. Liquor license applicants are required, at great expense, to post public hearing notices in the Honolulu Star-Advertiser prior to public hearing on the license application. Because these notifications are required by law to be posted twice at least 45 days prior to the public hearing, an *unintentional or unavoidable* late posting by the Commission could have disastrous consequences for a license applicant counting on having its public hearing on a certain date.

The Liquor Commission appreciates the opportunity to provide testimony on House Bill 991, Relating to Open Government.

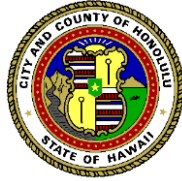
Respectfully submitted,


for FRANKLIN DON PACARRO, JR.
Administrator

FDP:ACH

**OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU**

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KIRK CALDWELL
MAYOR

ROY K. AMEMIYA, JR.
MANAGING DIRECTOR

GEORGETTE T. DEEMER
DEPUTY MANAGING DIRECTOR

**CITY AND COUNTY OF HONOLULU
BEFORE THE HOUSE COMMITTEE ON CONSUMER PROTECTION AND
COMMERCE**

TUESDAY, FEBRUARY 7, 2017; 2:00 PM

**TO: THE HONORABLE ANGUS L.K. MCKELVEY, CHAIR
THE HONORABLE LINDA E. ICHIYAMA, VICE CHAIR
AND MEMBERS OF THE HOUSE COMMITTEE ON CONSUMER
PROTECTION AND COMMERCE**

**FROM: SHAWN HAMAMOTO, EXECUTIVE SECRETARY
NEIGHBORHOOD COMMISSION
CITY AND COUNTY OF HONOLULU**

SUBJECT: COMMENTS ON H.B. 991 RELATING TO OPEN GOVERNMENT

The City and County of Honolulu provides comments on H.B. 991, which allows the electronic mailing and posting of meeting notices; requires the posting of the meeting notice and minutes on the applicable state or county websites; and requires that board packets be made available to the public before the meeting.

The Neighborhood Commission Office (NCO) recognizes the importance of making information publicly available. Currently, Chapter 92, Hawaii Revised Statutes, requires the mailing of meeting notices to those who have signed up to receive these notices. In current practice, neighborhood board meeting notices and minutes are sent out to persons subscribed to the NCO's mail subscription list as well as the email subscription list. Additionally, for at least 15 years, NCO has been posting the agendas online when the paper copies are mailed.

Typically, prior to a meeting, neighborhood board members receive a packet containing the meeting notice and previous month's minutes. This same packet is also made available to the public via mail, email, and online. We are concerned that "board packets" as defined in this measure would put undue responsibility on the NCO to provide access to documents that NCO does not possess. For example, board members may sometimes distribute documents amongst themselves, or they may receive documents mailed to them by outside parties, without NCO's knowledge.

As a practice, NCO usually posts minutes of neighborhood board meetings online prior to the posting of the next meeting, which is typically 21 days after the meeting. While NCO supports making this information available to the public in a timely

HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE
Comments on H.B.991
Page 2

fashion, we have concerns that requiring the meeting minutes to be posted within 30 days of the meeting and prohibiting the occurrence of the next meeting if the minutes are not posted within the 30-day time frame is too strict. There may be unforeseen circumstances which prevent NCO from posting the minutes within the 30-day time frame and it would adversely impact the neighborhood boards' right to meet. It would also not be in the best interest of the public. The law as currently written, which requires NCO to make the minutes available upon request, is more reasonable.

Thank you for your consideration of these comments.

THE CIVIL BEAT
LAW CENTER FOR THE PUBLIC INTEREST

700 Bishop Street, Suite 1701
Honolulu, HI 96813

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info@civilbeatlawcenter.org

House Committee on Consumer Protection & Commerce
Honorable Angus L.K. McKelvey, Chair
Honorable Linda Ichiyama, Vice Chair

RE: Testimony Commenting on H.B. 991, Relating to Open Government
Hearing: February 7, 2017 at 2:00 p.m.

Dear Chair and Members of the Committee:

My name is Brian Black. I am the Executive Director of the Civil Beat Law Center for the Public Interest, a nonprofit organization whose primary mission concerns solutions that promote governmental transparency. Thank you for the opportunity to submit testimony commenting on H.B. 991 to **recommend replacing the language in this bill with the text of H.B. 165**. The Law Center strongly supports the intent of H.B. 991, but H.B. 165 better addresses concerns that have been raised by government boards and commissions about similar bills over the last two legislative sessions.

H.B. 165 and H.B. 991 both recognize that critical portions of the Sunshine Law have become antiquated in the modern era. These bills update the open meetings law to acknowledge that the public relies on the Internet and citizens want to keep informed on the community issues that affect them. The amendments provide for e-mailed meeting notices, dissemination of agendas and minutes on the Internet, access to board packets so that the public is better educated before a meeting occurs, and the ability to video record meetings.

It is time to bring the Sunshine Law into the 21st Century.

Thank you again for the opportunity to testify.



Feb. 7, 2017

Rep. Angus L.K. McKelvey
House Consumer Protection Committee
State Capitol
Honolulu, HI 96813

Re: House Bill 991

Chairman McKelvey and Committee Members:

The Hawaii chapter of the Society of Professional Journalists believes this bill will increase transparency in the meetings of Hawaii's boards and commissions by bringing the Sunshine Law into the 21st century.

This bill would allow the emailing and posting of board meeting notices. It would require the posting of the meeting notice and minutes on agency websites and allow public access to detailed board packets before a meeting.

We presume the access to board packets could be done by posting the items on the agency's website. This seems a fair compromise to past proposals of mailing or posting packets that bothered boards and commissions about the cost and extra work.

Thank you for your time and attention,

Stirling Morita
President, Hawaii Chapter SPJ



49 South Hotel Street, Room 314 | Honolulu, HI 96813
www.lwv-hawaii.com | 808.531.7448 | voters@lwv-hawaii.com

House Committee on Consumer Protection and Commerce
Tuesday, February 7, 2017, 2 PM, Conference Room 329

HB 991, Relating to Open Government

TESTIMONY

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

Chair McKelvey, Vice-Chair Ichiyama and Committee Members,

The League of Women Voters of Hawaii supports HB 991 which improves public notice of board meetings, public access to documents to be discussed at board meetings, and public access to board meeting minutes.

We request that you replace the contents of HB 991 with the contents of HB 165 (which was not referred to this committee). Although both bills have similar wording, we understand that most boards will prefer the wording of HB 165.

Both HB 991 and HB 165 will help to resolve chronic public complaints about boards which:

1. fail to provide timely electronic notice of board meetings.
2. require the public to present testimony on all agenda items before the public can review board submittals to be discussed.
3. delay public disclosure of board submittals until after completion of board meetings at which the submittals are discussed.
4. procrastinate preparation and/or disclosure of board minutes beyond 30 days.

Thank you for the opportunity to submit testimony.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 11:54 AM
To: CPCtestimony
Cc: mrckima@gmail.com
Subject: *Submitted testimony for HB991 on Feb 7, 2017 14:00PM*

HB991

Submitted on: 2/1/2017

Testimony for CPC on Feb 7, 2017 14:00PM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Marcia Kimura	Individual	Support	No

Comments:

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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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 2:13 PM
To: CPCtestimony
Cc: cchaudron08@gmail.com
Subject: *Submitted testimony for HB991 on Feb 7, 2017 14:00PM*

HB991

Submitted on: 2/1/2017

Testimony for CPC on Feb 7, 2017 14:00PM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Camila Chaudron	Individual	Support	No

Comments:

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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TO: Members of the Committee on Consumer Protection & Commerce

FROM: Natalie Iwasa
Honolulu, HI 96825
808-395-3233

HEARING: 2 p.m. Tuesday, February 7, 2017

SUBJECT: HB 991 Allow Electronic Mailing/Posting of Meeting Notices – **SUGGESTED
AMENDMENT**

Aloha Chair and Committee Members,

Thank you for allowing me the opportunity to provide testimony on HB 991, which would allow boards to provide meeting notices electronically in addition to hard copy. In general I support this, but I have one concern.

Boards would be required to allow the public to view documents “*either electronically or in hard copy*” (line 2, page 2). Not everyone has electronic access to government documents, especially at or during public meetings.

In order to make sure the public has access to board documents in a timely manner, please consider adding language such as the following:

“provided, however, that hard copies are available to those who request them.”

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 11:47 AM
To: CPCtestimony
Cc: prentissc001@hawaii.rr.com
Subject: Submitted testimony for HB991 on Feb 7, 2017 14:00PM

HB991

Submitted on: 2/6/2017

Testimony for CPC on Feb 7, 2017 14:00PM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Charles Prentiss	Kailua Neighborhood Board	Oppose	No

Comments: This bill shows a misunderstanding of the Neighborhood Board system procedures. The boards meet monthly, and only nine meetings a year are required. Minutes from the previous month are not approved until the next meeting. Unapproved minutes may be incorrect and should not be published. If the boards are not allowed to meet if they don't publish their (unapproved) minutes, they will never be allowed to meet. Note also that the Land Board (BLNR) is often four months late with their minutes; should this apply to them as well?

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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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 6, 2017 6:27 PM
To: CPCtestimony
Cc: cchaudron08@gmail.com
Subject: *Submitted testimony for HB991 on Feb 7, 2017 14:00PM*

HB991

Submitted on: 2/6/2017

Testimony for CPC on Feb 7, 2017 14:00PM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Camila Chaudron	Individual	Support	No

Comments:

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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