

STAND. COM. REP. NO. 828

Honolulu, Hawaii

MAR 01 2019

RE: S.B. No. 748  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 748 entitled:

"A BILL FOR AN ACT RELATING TO BOARD MEMBERS,"

begs leave to report as follows:

The purpose and intent of this measure is to permit two or more members of a board to attend State of the City, State of the County, State of the State, or State of the Judiciary addresses.

Your Committee received testimony in support of this measure from the Office of Information Practices. Your Committee received comments on this measure from the Civil Beat Law Center for the Public Interest.

Your Committee finds that public addresses by certain elected or appointed individuals such as the State of the City, State of the County, State of the State, and State of the Judiciary are important civic events where new policy initiatives are unveiled and the intentions of public offices are presented. Your Committee further finds that while the Sunshine Law may allow joint attendance at these types of events, clarity is needed on the scope of any discussions and activities. As currently written this measure does not address permissible and impermissible discussions of board members that may occur during and as part of the event. In addition, in keeping with the spirit of the



Sunshine Law, clarity is needed to ensure that no commitment to vote is made or sought by board members at these events.

Accordingly, your Committee has amended this measure by:

- (1) Restricting board members from discussing the business of the board while attending a State of the City, State of the County, State of the State, or State of the Judiciary address except during and as part of the event; and
- (2) Prohibiting a commitment to vote from being made or sought by any board member at these types of events.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 748, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 748, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



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KARL RHOADS, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>SB 748</b>	Committee Referral: <b>JDC</b>	Date: <b>2/21/19</b>		
<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
RHOADS, Karl (C)	✓			
WAKAI, Glenn (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado				✓
FEVELLA, Kurt				✓
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes