

STAND. COM. REP. NO.

462

Honolulu, Hawaii

February 14, 2019

RE: H.B. No. 1076  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1076 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS,"

begs leave to report as follows:

The purpose of this measure is to ensure equal access to notice of public meetings by:

- (1) Requiring public meeting notices to include instructions on how to request an auxiliary aid or service or accommodation due to a disability;
- (2) Requiring boards to:
  - (A) Post the public meeting notices in an accessible format on an electronic calendar on a website maintained by the State or county;
  - (B) Retain a copy of proof of filing the notice with the Lieutenant Governor's office or county clerk's office; and
  - (C) Post a notice in the board's office;



- (3) Requiring the Lieutenant Governor's office or the county clerk's office to timely post paper or accessible electronic copies of all meeting notices in a central location in a public building;
- (4) Repealing the provision that failure of the board, Lieutenant Governor's office, or county clerk's office to post meeting notices will not require cancellation of the meeting;
- (5) Requiring a meeting to be canceled if the written public notice or a copy with confirmed receipt from the Lieutenant Governor's office or the county clerk's office is posted on an electronic calendar less than six days prior to the meeting; and
- (6) Requiring an emergency meeting agenda to be filed with confirmed receipt with the Lieutenant Governor's office or the county clerk's office and posted in the board's office.

The Department of Transportation, Animal Rights Hawai'i, and an individual testified in support of this measure. The Office of Information Practices, Disability and Communication Access Board, and Hawai'i Civil Rights Commission provided comments.

Your Committee has amended this measure by:

- (1) Retaining only the provision requiring public meeting notices to include instructions on how to request an auxiliary aid or service or accommodation due to a disability;
- (2) Updating the preamble to reflect the contents of the measure;
- (3) Changing its effective date to January 28, 2081; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No.



1076, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1076, H.D. 1, and be referred to your Committee on Finance.

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

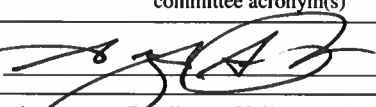


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CHRIS LEE, Chair



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: H81076	Committee Referral: JUD, FIN	Date: 2/8/19		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BROWER, Tom	/			
4. CREAGAN, Richard P.	/			
5. LOWEN, Nicole E.	/			
6. McKELVEY, Angus L.K.				/
7. MORIKAWA, Dee	/			
8. SAY, Calvin K.Y.	/			
9. TAKAYAMA, Gregg	/			
10. YAMANE, Ryan I.	/			
11. THIELEN, Cynthia				/
TOTAL (11)	9			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				