

Honolulu, Hawaii

APR 22 2021

RE: S.B. No. 1034  
S.D. 1  
H.D. 2  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1034, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO SUNSHINE LAW BOARDS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Authorize boards to use interactive conference technology to remotely conduct meetings under the State's open meetings law; and
- (2) Amend the requirements for public notices of board meetings and for in-person board meetings held by interactive conference technology.

Your Committee on Conference finds that remote meetings can be a way to protect the health and safety of participants. Your



Committee on Conference further finds that remote meetings have increased transparency by allowing more public members to participate in meetings, even if they live far from the physical location of a meeting or on another island.

Your Committee on Conference understands that the requirements of the Americans with Disabilities Act (ADA) apply to meetings held by interactive conference technology, and notes that any locations and technology used for remote meetings will need to be in compliance with the requirements of the ADA.

Your Committee on Conference has amended this measure by:

- (1) Requiring at least one meeting location that is open to the public and has an audiovisual connection for a remote meeting held by interactive conference technology;
- (2) Requiring a quorum of board members participating in a remote meeting held by interactive conference technology to be visible and audible to other members and the public during the meeting;
- (3) Requiring all votes during a remote meeting held by interactive conference technology to be conducted by roll call unless unanimous;
- (4) Changing the duration of the automatic recess of a meeting in case audiovisual communication cannot be maintained to a maximum of thirty minutes;
- (5) Requiring the Office of Information Practices to assess the implementation of meetings held using interactive conference technology and submit a report of its findings to the Legislature;
- (6) Inserting an effective date of January 1, 2022; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1034, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1034, S.D. 1, H.D. 2, C.D. 1.



Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



LINDA ICHIYAMA  
Co-Chair



KARL RHOADS  
Chair



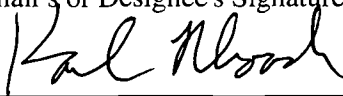
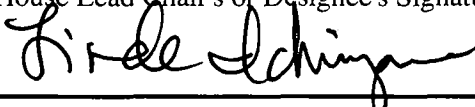
MARK M. NAKASHIMA  
Co-Chair



Hawai'i State Legislature

CCR 71

Record of Votes of a  
Conference Committee

Bill / Concurrent Resolution No.: <b>SB 1034, SD 1, HD 2</b>					Date/Time: 4/21/21 3:42 pm				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
RHOADS, Karl, Chr.	✓				ICHIYAMA, Linda, Co-Chr.	✓			
KEOHOKALOLE, Jarrett	✓				NAKASHIMA, Mark M., Co-Chr.	✓			
FEVELLA, Kurt	✓				ELI, Stacelynn K.M.	✓			
					WARD, Gene	✓			
<b>TOTAL</b>	3	0	0	0	<b>TOTAL</b>	4	0	0	0
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature: 					House Lead Chair's or Designee's Signature: 				
<b>Distribution:</b>		<b>Original</b> <i>File with Conference Committee Report</i>	<b>Yellow</b> <i>House Clerk's Office</i>	<b>Pink</b> <i>Senate Clerk's Office</i>	<b>Goldenrod</b> <i>Drafting Agency</i>				