

Honolulu, Hawaii  
FEB 18 , 2022

RE: H.B. No. 2026  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Government Reform, to which was referred  
H.B. No. 2026 entitled:

"A BILL FOR AN ACT RELATING TO CHAPTER 92, HAWAII REVISED  
STATUTES,"

begs leave to report as follows:

The purpose of this measure is to strengthen the  
understanding of, and public participation in, the administrative  
proceedings and process of government boards by:

- (1) Making clarifying amendments to part I of chapter 92,  
Hawaii Revised Statutes (the State's Sunshine Law), to  
reflect existing Office of Information Practice opinions  
and guidance on the State's Sunshine Law;
- (2) Authorizing a permitted interaction for the narrow  
purpose of preparing a written statement for the  
Legislature;
- (3) Requiring better advance notice of items to be discussed  
by specifying when board packets are to be available to  
interested persons; and
- (4) Specifying that the State's Sunshine Law applies to all  
adjudicatory functions concerning land use regardless of



the agency exercising such functions, not just the adjudicatory functions exercised by the Land Use Commission.

Your Committee received testimony in support of this measure from one member of the Hawaii County Council, Civil Beat Law Center for the Public Interest, League of Women Voters of Hawaii, Common Cause Hawaii, Society of Professional Journalists Hawaii Chapter, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Office of Information Practices and Hawaii Tourism Authority.

Your Committee finds that the powers and functions of public agencies and boards are legitimized by the public's confidence in these institutions. For that reason, the State's Sunshine Law imposes certain requirements to ensure that governmental processes are open for public scrutiny and participation. This measure will further the objectives and intent of the State's Sunshine Law.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2026, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2026, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Government Reform,



ANGUS L.K. MCKELVEY, Chair



