Honolulu, Hawaii

, 2022

FEB 18

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

2022-1562 HB2026 HD1 HSCR HMSO-1

State of Hawaii House of Representatives The Thirty-first Legislature

Hecro41-33

Record of Votes of the Committee on Government Reform

Bill/Resolution No.: HB 2026	Committee Referral:	Date:	lle -	71-
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
GVR Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	7			
A WHI PREPARE OF ALL				
2. WILDBERGER, Tina (VC)	7			
3. ELI, Stacelynn K.M.				
J. DDI, Gucciyini Kiri.				
4. ICHIYAMA, Linda			. <u> </u>	
5. MIZUNO, John M.				
6. WOODSON, Justin H.				
7. YAMASHITA, Kyle T				
. TAMAJUTA, NYK I				
8 WARD, Gene	Takinda and Andreas Andreas (Andreas Andreas Andreas Andreas Andreas Andreas Andreas Andreas Andreas Andreas A			
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TOTAL (8)	1	(x	X	1
The recommendation is: Adopte	ed	<u>V</u>	<u> </u>	1 1
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) Chief Clerk's Office Duplicate (Pink) - HMSO				