

Honolulu, Hawaii

MAR 04 , 2022

RE: H.B. No. 2026
H.D. 2

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

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2026, H.D. 1, 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 Hawaii's open meetings law to reflect existing opinions and guidance from the Office of Information Practices;
- (2) Authorizing a permitted interaction for the narrow purpose of preparing a written statement for the Legislature;
- (3) Specifying when board packets must be available to interested persons; and
- (4) Specifying that Hawaii's open meetings law applies to all adjudicatory functions concerning land use, including adjudicatory functions exercised by the Land Use Commission.



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

Your Committee finds that this measure will allow the public as well as state and county board members to engage more meaningfully in public discourse.

Your Committee has amended this measure by:

- (1) Clarifying when board packets must be available to interested persons;
- (2) Clarifying that board packets are not required to be created; and
- (3) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2026, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2026, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



