

Honolulu, Hawaii

APR 08 , 2022

RE: S.B. No. 3219  
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 Judiciary & Hawaiian Affairs, to which was referred S.B. No. 3219, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to provide that the mandatory disclosure of the names of persons who are physically present with a board member attending a remote board meeting at a nonpublic location applies only to the disclosure of the names of adults, and not minors, unless the minor has a private interest with any issue before the board.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority, one member of the Maui County Council, and one individual. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that Act 220, Session Laws of Hawaii 2021 (Act 220), allows boards subject to the State's Sunshine Law the option to use interactive conference technology to conduct remote meetings. Your Committee further finds that Act 220 requires a board member participating from a nonpublic location to identify those who are also present in that same location. Your Committee notes that board members may have their minor children present with them during a virtual board or committee meeting.



Your Committee believes that, barring specific circumstances as provided by law, children's privacy rights supersede the public's right to disclosure of all the individuals who are present with a board member in a virtual meeting.

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 S.B. No. 3219, H.D. 1, and recommends that it pass Third Reading.

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



MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

<b>Bill/Resolution No.:</b> SB 3219, HD1	<b>Committee Referral:</b> GVR, UHA	<b>Date:</b> 4-4-22		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input checked="" type="checkbox"/> Pass, unamended (as is) <input 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)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.	✓			
10. TOKIOKA, James Kunane	✓			
11. WARD, Gene	✓			
<b>TOTAL (11)</b>	11	0	0	0
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
<b>Vice Chair's or designee's signature:</b>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				