



SYLVIA LUKE
LIEUTENANT GOVERNOR
Ke Ke'ena O Ka Hope Kia'āina

32nd Legislature, State of Hawaii
House Committee on Judiciary
February 7, 2024

Testimony on
H.B. 2482 – RELATING TO MEETING NOTICES

Chair Tarnas, Vice-Chair Takayama, and Members of the Committee:

Thank you for the opportunity to provide testimony in **strong support of H.B. 2482** which mandates the Office of the Lieutenant Governor or the appropriate county clerk's office to ensure access to paper or electronic copies of all meeting notices and deletes the requirement to post notices in a central location in a public building.

To fulfill our statutory responsibilities, my office currently receives facsimile or hand-delivered physical copies of meeting notices and posts these documents daily in the Chamber of the State Capitol for the public to view. However, Hawai'i is a state of islands with numerous geographical barriers and it is impractical for those who live on the neighbor islands to fly to Oahu or for those who live on the windward or leeward of Oahu to drive to the Capitol to view these notices. Additionally, due to increased security measures at the State Capitol and other government facilities, it is unreasonable for residents and interested parties to physically enter a government building to view posted notices.

The proposed amendments to section 92-7(b), HRS, ensure that residents and interested parties have a variety of methods to view board and commission notices and agendas: electronically available on an online calendar, posted physically at the board's office and the site of the meeting when feasible, and via paper or electronic copy by contacting the Office of the Lieutenant Governor or the appropriate county clerk's office. I am confident that these efforts to modernize will increase efficiency and decrease paper usage for state departments and agencies while ensuring public access to notices.

Thank you for the opportunity to testify in strong support of H.B. 2482.

OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII
NO. 1 CAPITOL DISTRICT BUILDING
250 SOUTH HOTEL STREET, SUITE 107
HONOLULU, HAWAII 96813
TELEPHONE: 808-586-1400 FAX: 808-586-1412
EMAIL: oip@hawaii.gov

To: House Committee on Judiciary & Hawaiian Affairs

From: Cheryl Kakazu Park, Director

Date: February 7, 2024, 2:00 p.m.
State Capitol, Conference Room 325

Re: Testimony on H.B. No. 2482
Relating to Meeting Notices

Thank you for the opportunity to submit testimony on this bill, which would replace the Sunshine Law requirement for the Lieutenant Governor (LG) or appropriate County Clerk to post meeting notices in a central location in a public building with a requirement that they “ensure access” to those notices. The Office of Information Practices (OIP) offers **comments**.

Under current law, a board must provide a copy of its notice to the LG or Clerk, who must then post a paper or electronic copy in a central location in a public building. The LG has historically met this requirement by posting paper copies in the Capitol basement and the Clerks have historically posted paper copies in a prominent county office building. However, the current law does not require either those specific locations or the posting of paper copies. The LG, for example, could meet this requirement by posting it on an electronic monitor, if one was installed, that would scroll through meeting notices at a location where the public can enter the State building without going through security.

Even after the primary method of posting notice became electronic posting on an electronic calendar in 2014, the requirement for boards to provide meeting

notices for the LG and Clerks to post in a public location remained in the Sunshine Law because at that time the Legislature wanted to ensure that people who were accustomed to looking at meeting notices posted in a central location by the LG or Clerk could still do so. Ten years later, H.B. 2482's proposed change would not require any sort of affirmative posting of notices by the LG or Clerk, but instead would just require that the LG or Clerk make paper or electronic copies of meeting notices available to the public. Since the same information is already available on the electronic calendars maintained by the State and the counties, specifying that the LG or Clerk must provide notices on request would not add much in the way of additional public outreach.

OIP therefore questions what additional value to the public would be provided by having the LG and Clerks provide copies of notices upon request. If this Committee believes that after 10 years the public has fully adapted to electronic posting and it is no longer necessary for meeting notices to also be posted in a central location, **it might be more straightforward for this Committee to simply eliminate the requirement for boards to file a copy of their notices with the LG or Clerk in the first place**, rather than continuing to require boards to do this additional filing.

Thank you for considering OIP's testimony.



UNIVERSITY
of HAWAII®
SYSTEM

**House of Representatives Committee on Judiciary and Hawaiian Affairs
Wednesday, February 7, 2024 2:00 P.M.**

Testimony by:

Yvonne Lau, Executive Administrator and Secretary of the Board of Regents

H.B. No. 2482 – RELATING TO MEETING NOTICES.

Chair Tarnas, Vice Chair Takayama, and members of the Committee:

These comments on H.B. No. 2482 are offered in my capacity as the Executive Administrator and Secretary of the Board of Regents.

The Board of Regents of the University of Hawai'i (Board) has not yet had the opportunity to discuss this measure. Discussion is expected to occur at the Board's next meeting on February 16, 2024.

Thank you for the opportunity to offer comments on H.B. No. 2482.



Feb. 7, 2024

David A. Tarnas
House Committee on Judiciary and Hawaiian Affairs
State Capitol
Honolulu, HI 96813

Re: House Bill 1610

Chairman Tarnas and Committee Members:

We support this bill, would make it firm that the lieutenant governor and county clerks ensure access to government board meetings notices.

We think this bill would center the responsibility for this important function on the lieutenant governor and county clerks.

Thank you,

Stirling Morita
President
Hawaii Chapter SPJ