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David Y. Ige
Governor

John De Fries
President and Chief Executive Officer

Statement of
JOHN DE FRIES

Hawai'i Tourism Authority
before the
COMMITTEE ON GOVERNMENT REFORM

March 23, 2022
9:30 a.m.
State Capitol
via videoconference

In consideration of
SENATE BILL NO. 3219
RELATING TO THE SUNSHINE LAW

Aloha Chair McKelvey, Vice Chair Wildberger, and members of the Committee on Government Reform.

The Hawai'i Tourism Authority (HTA) appreciates the opportunity to offer testimony in **support** of SB3219, which requires that the mandatory disclosure of the names of persons who are physically with a board member attending a public meeting by an online method only apply to the disclosure of the names of adults, and not minors, who are physically with the board member.

We are supportive of this measure as there may be times when board members may have their minor children with them during a virtual board or committee meeting. This may be due to various reasons, unanticipated and unavoidable. Protecting minors is paramount and would provide peace of mind to our board members.

We appreciate the opportunity to provide testimony in **support** of SB3219. Mahalo.

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 Government Reform

From: Cheryl Kakazu Park, Director

Date: March 23, 2022, 9:30 a.m.
State Capitol, Conference Room 309 and Via Videoconference

Re: Testimony on S.B. No. 3219
Relating to the Sunshine Law

Thank you for the opportunity to submit testimony on this bill, which would apply the requirement for a board member participating in a remote meeting to state who else is present, only to those persons present who are 18 or older. The Office of Information Practices (OIP) offers comments.

The Sunshine Law's newly effective remote meetings provision requires a board member participating from a nonpublic location to state who, if anyone, is present at the same location. This gives the public some information about off-camera voices or presences they may notice with a board member and prevents speculation as to whether they represent a lobbyist or a household member or child. OIP interprets the current provision not to specifically require identifying everyone present by name, but instead to allow for a statement such as "my children are in and out of the room" without specifically identifying the children in question. **OIP has no objection to the proposed amendment**, as it is consistent with OIP's current interpretation of the law.

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Director of Council Services
Traci N. T. Fujita, Esq.

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March 21, 2022

TO: Honorable Angus L.K. McKelvey, Chair
House Committee on Government Reform

FROM: Alice L. Lee
Council Chair

DATE: March 21, 2022

SUBJECT: **SUPPORT FOR SB 3219, RELATING TO THE SUNSHINE LAW**

Thank you for the opportunity to testify in **SUPPORT** of this important measure. The purpose of this measure is to amend the Sunshine Law to exempt minors from being required to state their presence in public meetings.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I **SUPPORT** this measure for the following reasons:

1. Children's privacy rights prevail over the public's right to know.
2. This measure will protect the privacy and identity of minors who are with a board member during a meeting.
3. This measure continues to provide transparency in remote meetings under the Sunshine Law, but without compromising the confidentiality of minors.

For the foregoing reasons, I **SUPPORT** this measure.

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