

STAND. COM. REP. NO.

815

Honolulu, Hawaii

, 2023

MAR 02

RE: H.B. No. 723  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 723 entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Expand application of the State's Sunshine Law to legislatively appointed bodies, including task forces, working groups, special committees, and select committees; and
- (2) Require the Senate and House of Representatives to hold public hearings on a biennial basis to solicit professional and public feedback on how the rules of each house of the Legislature can better effectuate the intent of the State's Sunshine Law.

Your Committee received testimony in support of this measure from Pono Hawaii Initiative, Animal Rights Hawai'i, and eleven individuals. Your Committee received comments on this measure from the Office of Information Practices, Commission to Improve Standards of Conduct, and League of Women Voters of Hawaii.

2023-2017 HB723 HD1 HSCR HMSO



Your Committee finds that this measure implements one of the recommendations made by the Commission to Improve Standards of Conduct established pursuant to House Resolution No. 9, Regular Session of 2022. This measure seeks to strike an appropriate balance between making legislatively appointed bodies subject to the State's Sunshine Law while not imposing an undue burden on the legislative process which is subject to a strict legislative timetable and deadlines as mandated under article III of the Hawaii State Constitution.

Your Committee has amended this measure by:

- (1) Deleting language that required the Senate and House of Representatives to hold public hearings on a biennial basis to solicit professional and public feedback on how the rules of each house of the Legislature can better effectuate the intent of the State's Sunshine Law;
- (2) Amending the definition of "legislatively appointed bodies" to:
  - (A) Include commissions among the types of groups to be considered a legislatively appointed body; and
  - (B) Specify that the membership consists in part or in whole of non-legislative members, rather than entirely of state legislators; 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. 723, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 723, H.D. 1, and be placed on the calendar for Third Reading.



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



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DAVID A. TARNAS, Chair



