

# OFFICE OF INFORMATION PRACTICES

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To: Senate Committee on Judiciary

From: Carlotta Amerino, Director

Date: February 21, 2025, 10:20 a.m.  
State Capitol, Conference Room 016

Re: Testimony on S.B. No. 869, S.D. 1  
Relating to Community Outreach Boards

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Thank you for the opportunity to submit testimony on this bill, which would define community outreach boards and add them to part VII of chapter 92, Hawaii Revised Statutes (Part VII), which currently contains provisions specific to neighborhood boards setting out (among other things) partial exceptions to the Sunshine Law, part I of chapter 92, HRS. The Office of Information Practices (OIP) offers **comments** on this bill.

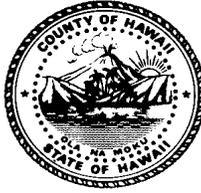
OIP administers the Sunshine Law, and although Part VII is not a part of the Sunshine Law, OIP must interpret it when one of its partial exceptions to the Sunshine Law arises in the context of a Sunshine Law dispute. This bill adds community outreach boards to Part VII's existing meeting provisions (including partial Sunshine Law exceptions). The definition of a community outreach board sounds similar to a neighborhood board, and the bill does not offer examples of boards that would be affected by this change. However, OIP understands that (as the Committee on Government Operations noted in its Committee Report) the Hawaii County Community Development Plan Action Committees are the primary example of community outreach boards that would be covered by this bill, and that

although they serve a similar function to neighborhood boards — channeling public feedback and providing recommendations to the actual decision-makers — they are not necessarily neighborhood-based.

OIP has no objection to expanding Part VII to cover community outreach boards such as the Hawaii County Community Development Plan Action Committees. **OIP prefers the purpose clause language in the House version of this bill, H.B. 686, H.D. 1**, since it specifically mentions (at page 1, lines 4-5) the Hawaii County Community Development Plan Action Committees as an example of a community outreach board and explains (at page 1, lines 8-12) why those Committees do not already qualify as neighborhood boards. However, even without those clarifications in the purpose clause, OIP believes that at this point the legislative history for this bill provides a sufficient explanation of what sort of board this bill is intended to affect, and why it is necessary.

Thank you for considering OIP's testimony.

C. Kimo Alameda, PhD.  
Mayor



John Pelletier  
Vacant  
Heather Korotie  
Vacant  
Charles Young, Chair  
Nancy Pisicchio, Vice-Chair  
Charla Thompson  
David Huerta  
Roselyn Molina

## County of Hawai'i

### KONA COMMUNITY DEVELOPMENT PLAN ACTION COMMITTEE

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720  
(808) 961-8288 • Fax (808) 961-8742

February 19, 2025

The Honorable Karl Rhoads, Chair  
Senate Committee on Judiciary  
Hawaii State Capitol, Conference Room 016  
415 South Beretania Street  
Honolulu, Hawai'i 96813

RE: Testimony in Support of SB869 SD1: RELATING TO COMMUNITY OUTREACH BOARDS.

Dear Chair Rhoads and Members of the Committee,

I am Charles Young and chair the Kona Community Development Plan Action Committee. I am writing to ask for your support of SB869 SD1: RELATING TO COMMUNITY OUTREACH BOARDS. On January 14, 2025, the Kona Community Development Plan Action Committee voted unanimously to support this measure.

Since the creation of the County of Hawaii's advisory CDP Action Committee Program in 2009 we have had to convene our meetings under the strict regulatory Sunshine Law requirements required of all decision-making bodies, such as the County Council.

HB686 proposes to make minor updates to Part VII Chapter 92.81 related to Neighborhood Boards. In addition, SB869 SD1 proposes the adoption of a new state-wide generic definition for community outreach boards under 92-2 HRS.

The Kona CDP Action Committee believes the passage of SB869 SD1 will greatly increase the ability of all Hawai'i County's CDP Action Committees to better serve our communities and encourage public participation in local government.

Mahalo,

[Charles Young \(Feb 20, 2025 07:15 HST\)](#)

Charles Young, Chair, Chair  
Kona CDP Action Committee

C. Kimo Alameda, Ph.D.  
Mayor



Jesse Ke  
Ka'ohinani Mokuhalii  
Vacant  
Babette Morrow  
Jason Masters, Chair  
Pernell Hanoa, Vice-Chair  
Catherine Williams  
Kaweni Ibarra  
Vacant

## County of Hawai'i

### KA'Ū COMMUNITY DEVELOPMENT PLAN ACTION COMMITTEE

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February 19, 2025

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Honolulu, Hawai'i 96813

RE: Testimony in Support of SB869 SD1: RELATING TO COMMUNITY OUTREACH  
BOARDS.

Dear Chair Rhoads and Members of the Committee,

I am Jason Masters and chair of the Ka'ū Community Development Plan Action Committee. I am writing to ask for your support of SB869 SD1: RELATING TO COMMUNITY OUTREACH BOARDS. On January 28, 2025, the Ka'ū Community Development Plan Action Committee voted unanimously to support this measure.

Since the creation of the County of Hawaii's advisory CDP Action Committee Program in 2009 we have had to convene our meetings under the strict regulatory Sunshine Law requirements required of all decision-making bodies, such as the County Council.

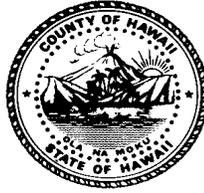
HB686 proposes to make minor updates to Part VII Chapter 92.81 related to Neighborhood Boards. In addition, SB869 SD1 proposes the adoption of a new state-wide generic definition for community outreach boards under 92-2 HRS.

The Ka'ū CDP Action Committee believes the passage of SB869 SD1 will greatly increase the ability of all Hawai'i County's CDP Action Committees to better serve our communities and encourage public participation in local government.

Mahalo,

Jason Masters, Chair  
Ka'ū CDP Action Committee

C. Kimo Alameda, Ph.D.  
Mayor



Tristie Licoan, Chair  
William Sanborn  
Ruth Smith  
Vacant  
Julia Alos  
Kevin McLaughlin  
Scott Nagata, Vice Chair  
Vacant  
Karen Anderson

## County of Hawai'i

### SOUTH KOHALA COMMUNITY DEVELOPMENT PLAN ACTION COMMITTEE

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720  
(808) 961-8288 • Fax (808) 961-8742

February 19, 2025

The Honorable Karl Rhoads, Chair  
Senate Committee on Judiciary  
Hawaii State Capitol, Conference Room 016  
415 South Beretania Street  
Honolulu, Hawai'i 96813

RE: Testimony in Support of SB869 SD1: RELATING TO COMMUNITY OUTREACH BOARDS.

Dear Chair Rhoads and Members of the Committee,

I am Tristie Licoan and chair of the South Kohala Community Development Plan Action Committee. I am writing to ask for your support of SB869 SD1: RELATING TO COMMUNITY OUTREACH BOARDS. On January 16, 2025, the South Kohala Community Development Plan Action Committee voted unanimously to support this measure.

Since the creation of the County of Hawaii's advisory CDP Action Committee Program in 2009 we have had to convene our meetings under the strict regulatory Sunshine Law requirements required of all decision-making bodies, such as the County Council.

HB686 proposes to make minor updates to Part VII Chapter 92.81 related to Neighborhood Boards. In addition, SB869 SD1 proposes the adoption of a new state-wide generic definition for community outreach boards under 92-2 HRS.

The South Kohala CDP Action Committee believes the passage of SB869 SD1 will greatly increase the ability of all Hawai'i County's CDP Action Committees to better serve our communities and encourage public participation in local government.

Mahalo,

  
Tristie Licoan (Feb 19, 2025 08:09 HST)

Tristie Licoan, Chair  
South Kohala CDP Action Committee



Senate Committee on Judiciary  
Honorable Karl Rhoads, Chair  
Honorable Mike Gabbard, Vice Chair

**RE: Testimony with Comments on S.B. 869 S.D. 1, Relating to Community Outreach Boards**

Hearing: February 21, 2025 at 10:20 a.m.

Dear Chair and Members of the Committees:

My name is Ben Creps. I am a staff attorney at the Public First Law Center, a nonprofit organization that promotes government transparency.

Thank you for the opportunity to submit testimony with **comments** on S.B. 869 S.D. 1. We support the intent to increase opportunities for the public to participate in government, and offer an **amendment** to better effectuate that intent.

Section 2 authorizes county departments and *commissions* to create community outreach boards. Authorizing county commissions to create their own Sunshine Law boards, however, appears to be unnecessary. The only examples of community outreach boards cited in Senate Standing Committee Report No. 317 are groups organized by the County of Hawai'i's planning department.

Moreover, the board-within-a-board framework would likely prove unwieldy and potentially subject to misuse. County commission members may already attend informational meetings organized by community groups and others under HRS § 92-2.5(e). We thus recommend **deleting** "a county commission or" at page 2, line 6.

We further note that this measure does not provide a process or framework for the creation of a community outreach board, nor does it set any parameters or guidance on board composition.

Thank you again for the opportunity to testify with comments on S.B. 869 S.D. 1.



**Re: Support for SB896 Relating to Community Outreach Boards.**

My name is John Winter, and I have chaired the North Kohala Community Development Plan Action Committee for years. I speak as an individual and strongly support SB896. I fully understand and support the intent of the Sunshine Law, but in practice it has several restrictions on board members that inhibit our ability to adequately serve our community. For example, our AC members are active in the community and should be permitted to attend public meetings and engage in discussions on important public issues. This can hardly be considered collusion. Rather, it enriches our understanding of an issue in question and how our community regards it. We may then bring this information back to a board meeting and discuss it openly before the public. By restricting such participation at other public meetings to 2 board members limits the discussion at both that meeting and the ensuing board meeting. I congratulate the legislative members who recognize this and support the change proposed by SB896 enthusiastically.



## Nancy Pisicchio

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Kailua-Kona, HI 96740  
(808) 987-9195  
npisicchio1@gmail.com

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February 19, 2025

The Honorable Karl Rhoads, Chair  
Senate Committee on Judiciary  
Hawaii State Capitol, Conference Room 016  
415 South Beretania Street  
Honolulu, Hawai'i 96813

RE: Testimony in Support of SB869 SD1: RELATING TO COMMUNITY OUTREACH BOARDS.

Dear Chair Rhoads and Members of the Committee,

My name is Nancy Pisicchio. I live in Kailua-Kona. As Vice Chair of the Kona Community Development Plan Action Committee, I am writing to ask your committee's support of SB869 SD1.

SB869 SD1 corrects a technical problem in Chapter 92 HRS, PART VII, which is the section of the State Sunshine Law specifically related to neighborhood boards. Although this 2008 amendment to chapter 92 HRS PART VII states its applicability to all counties in the State of Hawai'i ("as may be created in other counties"), the term "neighborhood board" does not have a definition under State law and is specific to a program in the City and County of Honolulu. Therefore, SB869 SD1 provides language to accommodate the intended state-wide applicability including a generic definition for community outreach boards.

The County of Hawai'i's Community Development Plan Action Committee (CDP AC) program was adopted in 2009 by the County Code and is overseen by the Department of Planning. Similar to the Neighborhood Board program in the City and County of Honolulu, these advisory committees serve different districts around Hawai'i Island and strive to increase grassroots education and build collaboration between citizens and local government. However, due to the limited language within Chapter 92 HRS PART VII, the County of Hawai'i's Community Development Plan Action Committees have had to convene meetings under the strict Sunshine Law rules required of regulatory bodies such as City and County Councils. The minor changes proposed in SB869 SD1 will vastly increase CDP AC's ability to carry out our mission.

Thank you for your consideration.

Respectively,

*Nancy Pisicchio*  
Nancy Pisicchio

February 19, 2025

SENATE COMMITTEE ON JUDICIARY

Sen. Karl Rhoads, Chair,  
Sen. Mike Gabbard, Vice Chair,  
and Members of the Committee

RE: SB 869 SD1 RELATING TO COMMUNITY OUTREACH BOARDS  
POSITION: SUPPORT

Aloha Chair Rhoads and Vice Chair Gabbard and members of the Senate committee on Judiciary,

My name is Brad Kurokawa from Hawai'i island. I currently live in Hakalau on the Hamakua coast of Hawai'i island. I have been an active community advocate for many years. I was a Hawai'i island representative on the task force for the state Hawai'i 2050 Sustainability plan (HRS 226-65) as well as a long time contributor to the Hawai'i Physical Activity & Nutrition Plan (PAN) effort. I currently serve on the Hamakua Community Development Plan (CDP) Action committee, an advisory committee comprised of community members tasked with serving as the liaison between our Hamakua District communities and county government advocating for implementation of the Hamakua CDP as adopted by county ordinance in 2018. I previously served on the Hamakua CDP Steering committee as its chair from 2008-2018 when the Hamakua CDP was adopted.

SB 869 SD1 adds a definition for **community outreach boards** in existing provisions of the Sunshine Law **Chapter 92, PART VII Neighborhood Board**. This will allow for the participation of the County of Hawaii's Community Development Plan Action Committees (CDP ACs). PART VII provides additional flexibility including:

- **Allows the opportunity for board members and members of the public to discuss issues NOT ON THE AGENDA or WITHOUT A QUORUM AS LONG AS** no decision is made "at that time, but must instead place the item on the agenda to report on it at the next meeting".
- **Under PART VII, any number of neighborhood board members and community outreach board members may attend meetings or presentations.**

*"The intent of the Sunshine Law (Chapter 92) is to open up governmental processes to public scrutiny and participation by requiring State and county boards to conduct their business as openly as possible." (OIP)*

But a huge deterrent to open government in decision-making is the lack of information and participation at the grassroots level.

With this additional flexibility provided by SB 869 SD1, neighborhood boards and community outreach boards help to provide a broader venue for the two-directional flow of information between the community and local government.

I am writing to strongly SUPPORT SB 869 SD1 RELATING TO COMMUNITY OUTREACH BOARDS. The proposed bill is simple common sense legislative REFINEMENT that enables our Hawai'i island Community Development Plans' Action committees and other similar community outreach entities statewide to function more effectively and efficiently as community liaisons between our communities and local and government. I think we can all agree that better community outreach and engagement is especially critical for democracy in these crazy times we find ourselves in.

Mahalo for your consideration and support! Please encourage your legislative colleagues to support SB 869 SD1

Warm Aloha,

A handwritten signature in black ink, appearing to read 'Brad Kurokawa', with a long horizontal flourish extending to the right.

Brad Kurokawa

**SB-869-SD-1**

Submitted on: 2/20/2025 6:54:47 AM

Testimony for JDC on 2/21/2025 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Babette Morrow	Individual	Support	Written Testimony Only

Comments:

I serve on the Ka'ū CDP Action Committee and am very much in support of this Bill. Our goal is to interact with the community to ensure that the goals and policies of the CDP are implemented. Following the Sunshine Law has been very restrictive in our efforts to engage with our fellow community members. Many community members have expressed frustration with our process and have stopped attending meetings. This proposed Bill will make this process much simpler and we will be able to do our intended outreach.

**SB-869-SD-1**

Submitted on: 2/20/2025 7:47:19 AM

Testimony for JDC on 2/21/2025 10:20:00 AM

Submitted By	Organization	Testifier Position	Testify
John Pelletier	Individual	Support	Written Testimony Only

Comments:

To: The Honorable Karl Rhoads, Chair  
The Honorable Mike Gabbard, Vice Chair  
Committee on Judiciary

From: John Pelletier

RE: SB869 - Relating to Community Outreach Boards - In Support

February 20, 2025

Aloha nui kākou, aloha Chair, Vice Chair, and members of the committee. I'm John Pelletier, a member of the Kona Community Development Action Committee, and I'm testifying in support of SB869.

SB869 is primarily a technical update. In 2008, the State Legislature added a new section to the State Sunshine Law, specifically Part VII of Chapter 92.81-83, HRS, which is titled "Neighborhood Board."

Although this 2008 amendment to Chapter 92, HRS applies to all counties in Hawai'i, the term "neighborhood boards" itself lacks a statewide definition. As a result, the language unintentionally refers solely to the program in the City and County of Honolulu. This has created challenges for similar advisory boards and committees in other counties, including the Community Development Plan Action Committees in Hawai'i County.

The aim of the proposed legislation, "Relating to Community Outreach Boards (2025)," is to make minor amendments to the existing language in "Neighborhood Boards and 92.81-83 HRS," ensuring it is relevant and applicable to similar advisory boards and committees across all counties in Hawai'i.

Now, more than ever, it is critical to find and implement additional strategies that will strengthen community education, communication, and collaboration.

Mahalo for the opportunity to testify, and mahalo ā nui for your ongoing service to the people of Hawai‘i!

Ke aloha nō,

John Pelletier

Ahupua‘a ‘o ‘O‘oma, North Kona, Island of Hawai‘i

**SB-869-SD-1**

Submitted on: 2/20/2025 9:32:18 AM

Testimony for JDC on 2/21/2025 10:20:00 AM

Submitted By	Organization	Testifier Position	Testify
Gregory Misakian	Individual	Oppose	Written Testimony Only

Comments:

**I do not support SB869 SD1** or any bill that will weaken the rights of the residents of Hawaii.

I currently serve on the Waikiki Neighborhood Board where rules are often seen broken, and the public is not provided the proper opportunity to speak on agenda items even listed on the agenda, as many meetings end without them ever being discussed.

The Neighborhood Boards should never be a place for rules to be broken, and the Sunshine Law has been in place for a very long time. Our legislators should also respect the Sunshine Law, but as they exclude themselves from it, the shining light that the public needs is not present. Backdoor deals and campaign contributions, to assist in decision making, seem to be the norm in Hawaii, and this too needs to end.

I respectfully ask our legislators to please stop weakening laws, and please start strengthening them, and start with your own House first, at the State Capitol.

Gregory Misakian

**LATE**

**SB-869-SD-1**

Submitted on: 2/20/2025 9:16:13 PM

Testimony for JDC on 2/21/2025 10:20:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jacob Wiencek	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

I am glad to see this bill continue to make its way through the legislative process. Strengthening community/neighborhood boards is crucial to enhancing community involvement and participation in governance.

I urge the Committee to continue SUPPORTING this bill!