

OFFICE OF INFORMATION PRACTICES

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To: House Committee on Judiciary & Hawaiian Affairs

From: Carlotta Amerino, Director

Date: March 14, 2025, 2:00 p.m.
State Capitol, Conference Room 325

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

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 in this measure sounds similar to a neighborhood board. The bill does not offer examples of boards that would be affected by this change, however, OIP understands that 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 also notes that the Senate Committees on Government Operations and Energy and Intergovernmental Affairs Standing Committee Report No. 317 also clarified that one example of a community outreach boards would be the various Community Development Plan Action Committees under the Planning Department of the County of Hawaii.

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. OIP therefore believes either this bill or the House version accomplishes the intent of establishing community outreach boards as boards covered by Part VII of the Sunshine Law.

Thank you for considering OIP's testimony.

C. Kimo Alameda, PhD.
Mayor



John Pelletier
Vacant
Heather Korotie
Vacant
Charles Young, Chair
Nancy Picicchio, 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

March 12, 2025

The Honorable David A. Tarnas, Chair
House Committee on Judiciary & Hawaiian Affairs
Hawaii State Capitol, Conference Room 325
415 South Beretania Street
Honolulu, Hawai'i 96813

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

Dear Chair Tarnas and Members of the Committee,

I am Charles Young and chair the Kona Community Development Plan Action Committee. On behalf of the Action Committee, I would like to thank the JHA Committee for supporting HB686: RELATING TO COMMUNITY OUTREACH BOARDS. I am writing to ask for your support of the companion bill, SB869 SD1.

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. Therefore SB869 SD1 proposes minor updates to Part VII Chapter 92 related to Neighborhood Boards. In addition, this measure 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

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March 12, 2025

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Hawaii State Capitol, Conference Room 325
415 South Beretania Street
Honolulu, Hawai'i 96813

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

Dear Chair Tarnas and Members of the Committee,

I am Jason Masters and chair of the Ka'ū Community Development Plan Action Committee. On behalf of the Action Committee, I would like to thank the JHA Committee for supporting HB686: RELATING TO COMMUNITY OUTREACH BOARDS. I am writing to ask for your support of the companion bill, SB869 SD1.

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. Therefore SB869 SD1 proposes minor updates to Part VII Chapter 92 related to Neighborhood Boards. In addition, this measure 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 (4013, 2025 15:27 HST)

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

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March 12, 2025

The Honorable David A. Tarnas, Chair
House Committee on Judiciary & Hawaiian Affairs
Hawaii State Capitol, Conference Room 325
415 South Beretania Street
Honolulu, Hawai'i 96813

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

Dear Chair Tarnas and Members of the Committee,

I am Tristie Licoan and chair of the South Kohala Community Development Plan Action Committee. On behalf of the Action Committee, I would like to thank the JHA Committee for supporting HB686: RELATING TO COMMUNITY OUTREACH BOARDS. I am writing to ask for your support of the companion bill, SB869 SD1.

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. Therefore SB869 SD1 proposes minor updates to Part VII Chapter 92 related to Neighborhood Boards. In addition, this measure 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 eb 19, 2025 08:09 HST

Tristie Licoan, Chair
South Kohala CDP Action Committee

SB-869-SD-1

Submitted on: 3/12/2025 10:01:04 PM

Testimony for JHA on 3/14/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gregory Misakian	Individual	Oppose	Remotely Via Zoom

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 seem to be the norm in Hawaii to assist in decision making, and this too needs to end.

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

Gregory Misakian

SB-869-SD-1

Submitted on: 3/12/2025 10:01:09 PM

Testimony for JHA on 3/14/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jacob Wiencek	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

I am glad to see this bill advance through the legislative process. Providing a better framework for community outreach boards has the opportunity to involve more people in our civic processes. Providing additional, common sense flexibility regarding Sunshine Law requirements is also a much needed relief.

I urge the Committee to SUPPORT this bill!

SB-869-SD-1

Submitted on: 3/12/2025 11:58:29 PM

Testimony for JHA on 3/14/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ruth Smith	Individual	Support	Written Testimony Only

Comments:

I have been involved in the S. Kohala Community Development Plan since 2007, serving on the original Steering Committee which submitted our plan in Nov 2008 & approved in Mayor Harry Kim's first tenure. South Kohala includes four communities with some common goals and some needs that are specific to Waimea, Waikoloa, Puako, or Kawaihae.

These many years later, I serve on the SKCDP Action Committee which monitors implementation of the original plan and helps address new issues that have arisen. For example, in Waikoloa where I live and worked for the DOE, beyond the expressed need for a second access road, we now need traffic management at the intersection of Waikoloa Road and Paniolo Avenue. The Village is still growing and developing, most noticeably now with the Waikoloa Heights development.

I implore Hawaii Legislators to continue support for Community Outreach Boards, honoring the efforts of many who volunteer to make their communities a better place to live, learn, work, and retire

Mahalo,

Ruth A. Smith

Waikoloa Village

(808) 896-7509

John Pelletier

Ahupua'a 'o 'O'oma, Kailua-Kona, HI

March 13, 2025

jdp2766@gmail.com

House Committee on Judiciary & Hawaiian Affairs

Honorable David A. Tarnas, Chair

Honorable Mahina Poepoe, Vice Chair

RE: SB869 - Relating to Community Outreach Boards.

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 in **support** of SB869, and mahalo ā nui for your ongoing service to the people of Hawai'i!

Ke aloha nō,
John Pelletier



Nancy Pisicchio

74-5576 Pawai Place, Suite J, Box 695
Kailua-Kona, HI 96740
(808) 987-9195
npisicchio1@gmail.com

March 14, 2025

The Honorable David A. Tarnas, Chair
House Committee on Judiciary & Hawaiian Affairs
Hawaii State Capitol, Conference Room 325
415 South Beretania Street
Honolulu, Hawai'i 96813

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

Dear Chair Tarnas 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 would like to thank the JHA Committee for supporting HB686 with amendments on 2/13/25. I am writing to ask your committee's support for the companion bill, SB869 SD1, which has incorporated the same amendments that you recommended for HB686.

SB869 SD1 RELATING TO COMMUNITY OUTREACH BOARDS corrects a technical problem in Chapter 92 HRS, PART VII, the section of the State Sunshine Law specifically related to neighborhood boards. Although this 2008 amendment to chapter 92 HRS PART VII states the intention to apply 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 refers to a program in the City and County of Honolulu. Therefore, language in SB869 SD1 provides a generic definition for community outreach boards and includes community outreach boards in the existing provisions of the sunshine law that relate to neighborhood boards. This will accommodate the originally intended state-wide applicability of Chapter 92 HRS PART VII.

The County of Hawaii'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 currently within Chapter 92 HRS PART VII, the County of Hawaii'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 their mission.

Thank you for your consideration.

Respectively,

Nancy Pisicchio
Nancy Pisicchio

SB-869-SD-1

Submitted on: 3/13/2025 1:20:05 PM

Testimony for JHA on 3/14/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Meizhu Lui	Individual	Support	Written Testimony Only

Comments:

Dear friends,

In this time of attacks on democracy, some of you are not only defending democracy, but expanding it. Those of us who work at the community level appreciate your efforts, and ask that you support SB 869 as a way to do so. By eliminating rules that may be helpful in the context of decision making bodies but that discourage grassroots participation, you will be increasing the ability of the general population to work with you, our elected representatives.

Thank you in advance.

Meizhu Lui

Papaaloa, Hawaii Island

SB-869-SD-1

Submitted on: 3/14/2025 7:41:09 AM

Testimony for JHA on 3/14/2025 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
brad kurokawa	Individual	Support	Written Testimony Only

Comments:

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Representative David Tarnas, Chairman and Members of the Committee

RE: SB869 SD1 RELATING TO COMMUNITY OUTREACH BOARDS

POSITION:

Aloha Chair Tarnas and members of committee,

Mahalo for your kokua in assisting to get this grassroots legislation this far. We appreciate it and count on your support to pass it this session.

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 other 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)

A big obstacle to open government in decision-making is the lack of information and participation at the grassroots level.

With this additional flexibility provided by SB869 SD1, neighborhood boards, and community outreach boards serve the public by providing a broader venue for the two-directional flow of information between the community and local government.

Please support passage of this bill and urge your colleagues in both houses to do so as well.
Mahalo!

Warmest Aloha,

Brad Kurokawa

Hakalau/Honomu resident, community advocate