

STAND. COM. REP. NO.

640

Honolulu, Hawaii

FEB 17 , 2023

RE: H.B. No. 1386

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 Water & Land, to which was referred H.B. No. 1386 entitled:

"A BILL FOR AN ACT RELATING TO THE BOARD OF LAND AND NATURAL RESOURCES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) In addition to the Chairperson, allows no more than two members of the Board of Land and Natural Resources to determine items that shall be placed on a meeting agenda and to submit those items to the Chairperson for placement on an agenda; and
- (2) Makes a discussion between the two members for purposes of determining items to be scheduled on a meeting agenda a permitted interaction under the Sunshine Law; provided that the discussion is limited to selecting agenda items and no commitment relating to a vote on any matter is made or sought.

Your Committee received comments on this measure from the Department of Land and Natural Resources, Office of Information Practices, and the Civil Beat Law Center for the Public Interest.

2023-1677 HB1386 HD1 HSCR HMSO



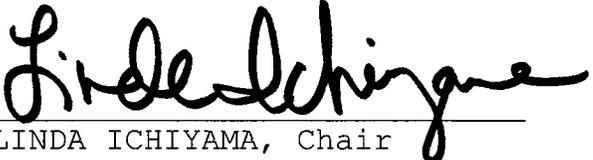
Your Committee finds that under existing law, no more than two board members of any board can discuss anything, including items to be placed on an agenda. This measure provides a limited exception to this requirement under the Sunshine Law by allowing a permitted interaction of two members to discuss the selection of agenda items of any board meeting.

Your Committee has amended this measure by:

- (1) Removing the amendments made to the Sunshine Law that allows a discussion between the two members for purposes of determining items to be scheduled on a meeting agenda a permitted interaction; provided that the discussion is limited to selecting agenda items and no commitment relating to a vote on any matter is made or sought;
- (2) Clarifying that no more than two members of the Board of Land and Natural Resources, one of which may be the Chairperson, may determine items to be placed on a meeting agenda and a discussion between the two members is a permitted interaction under the Sunshine Law;
- (3) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (4) 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1386, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1386, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Water & Land,

  
LINDA ICHIYAMA, Chair



