STAND. COM. REP. NO. 949 -22

Honolulu, Hawaii MAR 04 , 2022

RE: H.B. No. 2025 H.D. 2

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2025, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to provide that the mandatory disclosure of the names of persons who are physically with a board member attending a remote board meeting only applies to the disclosure of the names of adults, and not minors, who are physically with the board member at a nonpublic location, unless the minor has a conflict of interest with any issue before the board.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that Act 220, Session Laws of Hawaii 2021 (Act 220), allows boards subject to the State's Sunshine Law the option to use interactive conference technology to conduct remote meetings. Your Committee further finds that Act 220 requires a board member participating from a nonpublic location to identify those who are also present in that same location. Your Committee notes that board members may have their minor children present with them during a virtual board or committee meeting.



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Your Committee believes that children's privacy rights prevail over the public's right to disclosure of all the individuals who are present with a board member in a virtual meeting.

Your Committee has amended this measure by:

- (1) Clarifying that the names of any individual who is physically with a board member attending a public meeting by an online method and is under the age of eighteen shall be disclosed if the individual has a private interest, rather than a conflict of interest, on any issue before the board; and
- (2) Deleting the definition for "conflict of interest".

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. 2025, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2025, H.D. 2.

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

NAKASHIMA, Chair



State of Hawaii House of Representatives The Thirty-first Legislature



## Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 2025, HDI	Committee Referral:	, JHA Date:	2-25-	.22
The committee is reconsidering its previo				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold   Image: Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)				
2. MATAYOSHI, Scot Z. (VC)				
	<u>. Aana ka ahaa ya</u>			
3. ICHIYAMA, Linda				
			6 <u></u>	
4. KOBAYASHI, Dale T.				m) - Mille Income an an
				and the second
5. LoPRESTI, Matthew S.				le a parte de la companya
6. LOWEN, Nicole E.				
7. McKELVEY, Angus L.K.			1849-8 <u>19</u> 90-11	tering and the second secon
7. MCKELVET, Angus L.K.				
8. NAKAMURA, Nadine K.	t Carrier Marine Francisco - Construction - Construction	an a		
9. TAKUMI, Roy M.		a da a tim sa samiilan, ma ka mining palini ini na	, sign i sharindi da sa dani a bir	
10. TOKIOKA, James Kunane			a denakar e han at dan minimut an arkan retar	linf hafe. O we live the synthesis is easy to community for all continues
11. WARD, Gene				
			17	
TOTAL (11)	10	R	Ŕ	
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
<b>Distribution:</b> Original (White) – Committe	ee Duplicate (Yellow)	- Chief Clerk's Office	Duplicate (	Pink) – HMSO