

OFFICE OF INFORMATION PRACTICES

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To: House Committee on Judiciary & Hawaiian Affairs

From: Cheryl Kakazu Park, Director

Date: April 4, 2022, 2:00 p.m.
State Capitol, Conference Room 325 and Via Videoconference

Re: Testimony on S.B. No. 3219, H.D. 1
Relating to the Sunshine Law

Thank you for the opportunity to submit testimony on this bill, which would apply the requirement for a board member participating in a remote meeting to state the names of persons present who are 18 or older or below 18 but have a private interest in an issue before the board. The Office of Information Practices (OIP) offers comments.

The Sunshine Law's newly effective remote meetings provision requires a board member participating from a nonpublic location to state who, if anyone, is present at the same location. This gives the public some information about off-camera voices or presences they may notice with a board member and prevents speculation as to whether they represent a lobbyist or a household member or child. OIP interprets the current provision not to specifically require identifying everyone present by name, but instead to allow for a statement such as "my children are in and out of the room" without specifically identifying the children in question. This bill would specifically require identifying all adults, and minors with a private interest in an agenda issue, by name. **OIP has no objection to the proposed amendment.**



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David Y. Ige
Governor

John De Fries
President and Chief Executive Officer

Statement of
JOHN DE FRIES

Hawai'i Tourism Authority
before the
COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

April 4, 2022
2:00 p.m.
State Capitol
via videoconference

In consideration of
SENATE BILL NO. 3219 HD1
RELATING TO THE SUNSHINE LAW

Aloha Chair Nakashima, Vice Chair Matayoshi, and members of the Committee on Judiciary & Hawaiian Affairs.

The Hawai'i Tourism Authority (HTA) appreciates the opportunity to offer testimony in support of SB3219 HD1, which requires that the mandatory disclosure of the names of persons who are physically with a board member attending a public meeting by an online method only apply to the disclosure of the names of adults, and only those minors who have a private interest in an issue before the board.

We are supportive of this measure as there may be times when board members may have their minor children with them during a virtual board or committee meeting. This may be due to various reasons, unanticipated and unavoidable. Protecting minors is paramount and would provide peace of mind to our board members. The changes made in HD1 address the possibility of minors with internships or other professional capacities participating in meetings, and we appreciate the Legislature's diligence in amending this measure.

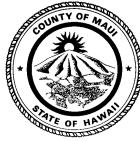
We appreciate the opportunity to provide testimony in support of SB3219 HD1. Mahalo.

Council Chair
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Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
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Kelly Takaya King
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Director of Council Services
Traci N. T. Fujita, Esq.

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David M. Raatz, Jr., Esq.

COUNTY COUNCIL
COUNTY OF MAUI
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WAILUKU, MAUI, HAWAII 96793
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April 2, 2022

TO: Honorable Mark M. Nakashima, Chair
House Committee on Judiciary and Hawaiian Affairs

FROM: Alice L. Lee
Council Chair

DATE: April 2, 2022

SUBJECT: **SUPPORT FOR SB 3219, HD1, RELATING TO THE SUNSHINE LAW**

Thank you for the opportunity to testify in **SUPPORT** of this important measure. The purpose of this measure is to amend the Sunshine Law to exclude any person under 18 from the mandatory disclosure of the names of persons who are physically with a board member attending a remote board meeting at a nonpublic location.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I **SUPPORT** this measure for the following reasons:

1. Children's privacy rights prevail over the public's right to know.
2. This measure will protect the privacy and identity of minors who are with a board member during a meeting.
3. This measure continues to provide transparency in remote meetings under the Sunshine Law, but without compromising the confidentiality of minors.

For the foregoing reasons, I **SUPPORT** this measure.

ocs:proj:legis:22legis:testimony:sb3219_hd1_paf22-018(97)a_lma

SB-3219-HD-1

Submitted on: 4/2/2022 11:18:27 PM

Testimony for JHA on 4/4/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

support