

STAND. COM. REP. NO.

1419

Honolulu, Hawaii

MAR 24 2023

RE: H.B. No. 712  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Government Operations, to which was referred H.B. No. 712, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO RECORDINGS OF PUBLIC MEETINGS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Exempt licensing boards under the Department of Commerce and Consumer Affairs from the requirement that board meetings be recorded;
- (2) Encourage boards to maintain recordings of board meetings on the board's website regardless of whether the written minutes of the meeting have been posted;
- (3) Require boards to provide the state archives with a copy of any recording of a board meeting before removing the recording from the board's website; and
- (4) Require the written minutes of board meetings to include a link to the electronic audio or video recording, if available online.



Your Committee received testimony in support of this measure from the Department of Public Safety, Department of Land and Natural Resources, Commission to Improve Standards of Conduct, and two individuals. Your Committee received testimony in opposition to this measure from The Civil Beat Law Center for the Public Interest and League of Women Voters of Hawaii. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Accounting and General Services, Office of Information Practices, and Disability and Communication Access Board.

Your Committee finds that requiring public boards to post any recordings of meetings on their websites and to submit those recordings to the State Archives so that they can remain available for public view represents sound government practice and would be beneficial for both the public and the State. This measure will help increase the transparency of public board meetings.

Your Committee notes that it is unnecessary to exempt licensing boards from the recording requirement because if there is confidential information being discussed, the board may go into executive session, thus preserving the ability of licensees and the public to view board meetings of importance to them.

Accordingly, your Committee has amended this measure by:

- (1) Eliminating the exemption for licensing boards under the Department of Commerce and Consumer Affairs from the requirement that board meetings be recorded; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 712, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 712, H.D. 1, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.



Respectfully submitted on  
behalf of the members of the  
Committee on Government  
Operations,



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ANGUS L.K. MCKELVEY, Chair



