



UNIVERSITY
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SYSTEM

**Senate Committee on Government Operations
Tuesday, February 6, 2024 3:10 P.M.**

Testimony by:

Yvonne Lau, Executive Administrator and Secretary of the Board of Regents

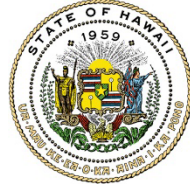
S.B. No. 3171 – RELATING TO MEETING NOTICES.

Chair McKelvey, Vice Chair Gabbard, and members of the Committee:

These comments on S.B. No. 3171 are offered in my capacity as the Executive Administrator and Secretary of the Board of Regents.

The Board of Regents of the University of Hawai'i (Board) has not yet had the opportunity to discuss this measure. Discussion is expected to occur at the Board's next meeting on February 16, 2024.

Thank you for the opportunity to offer comments on S.B. No. 3171.



SYLVIA LUKE
LIEUTENANT GOVERNOR
Ke Ke'ena O Ka Hope Kia'āina

32nd Legislature, State of Hawaii
Senate Committee on Government Operations
February 6, 2024

Testimony on
S.B. 3171 - RELATING TO MEETING NOTICES

Chair McKelvey, Vice-Chair Gabbard, and Members of the Committee:

Thank you for the opportunity to provide testimony in **strong support of S.B. 3171** which mandates the Office of the Lieutenant Governor or the appropriate county clerk's office to ensure access to paper or electronic copies of all meeting notices and deletes the requirement to post notices in a central location in a public building.

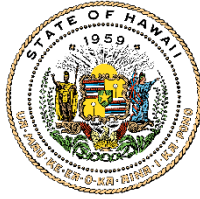
To fulfill our statutory responsibilities, my office currently receives facsimile or hand-delivered physical copies of meeting notices and posts these documents daily in the Chamber of the State Capitol for the public to view. However, Hawai'i is a state of islands with numerous geographical barriers and it is impractical for those who live on the neighbor islands to fly to Oahu or for those who live on the windward or leeward of Oahu to drive to the Capitol to view these notices. Additionally, due to increased security measures at the State Capitol and other government facilities, it is unreasonable for residents and interested parties to physically enter a government building to view posted notices.

The proposed amendments to section 92-7(b), HRS, ensure that residents and interested parties have a variety of methods to view board and commission notices and agendas: electronically available on an online calendar, posted physically at the board's office and the site of the meeting when feasible, and via paper or electronic copy by contacting the Office of the Lieutenant Governor or the appropriate county clerk's office. I am confident that these efforts to modernize will increase efficiency and decrease paper usage for state departments and agencies while ensuring public access to notices.

Thank you for the opportunity to testimony in strong support of S.B. 3171.

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA**

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
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LAND
STATE PARKS

**Testimony of
DAWN N.S. CHANG
Chairperson**

**Before the Senate Committee on
GOVERNMENT OPERATIONS**

**Tuesday, February 6, 2024
3:10 PM**

State Capitol Conference Room 225 and Videoconference

**In Consideration of
SENATE BILL 3171
RELATING TO MEETING NOTICES**

Senate Bill 3171 requires that the Office of the Lieutenant Governor or the appropriate county clerk's office ensure access to paper or electronic copies all meeting notices and deletes the requirement to post notices in a central location in a public building. **The Department of Land and Natural Resources (DLNR) supports this bill.**

This bill recognizes that most people get meeting notices on-line in the comfort of their home or office. It allows for those who still want a paper copy to be provided one at Lieutenant Governor's office, or the appropriate County Clerk's office. This bill will save trees, reduce waste, and help in the response against climate change.

Thank you for this opportunity to comment in support of this measure.

OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII
NO. 1 CAPITOL DISTRICT BUILDING
250 SOUTH HOTEL STREET, SUITE 107
HONOLULU, HAWAII 96813
TELEPHONE: 808-586-1400 FAX: 808-586-1412
EMAIL: oip@hawaii.gov

To: Senate Committee on Government Operations

From: Cheryl Kakazu Park, Director

Date: February 6, 2024, 3:10 p.m.
State Capitol, Conference Room 225

Re: Testimony on S.B. No. 3171
Relating to Meeting Notices

Thank you for the opportunity to submit testimony on this bill, which would replace the Sunshine Law requirement for the Lieutenant Governor (LG) or appropriate County Clerk to post meeting notices in a central location in a public building with a requirement that they “ensure access” to those notices. The Office of Information Practices (OIP) offers **comments**.

Under current law, a board must provide a copy of its notice to the LG or Clerk, who must then post a paper or electronic copy in a central location in a public building. The LG has historically met this requirement by posting paper copies in the Capitol basement and the Clerks have historically posted paper copies in a prominent county office building. However, the current law does not require either those specific locations or the posting of paper copies. The LG, for example, could meet this requirement by posting it on an electronic monitor, if one was installed, that would scroll through meeting notices at a location where the public can enter the State building without going through security.

Even after the primary method of posting notice became electronic posting on an electronic calendar in 2014, the requirement for boards to provide meeting notices for the LG and Clerks to post in a public location remained in the Sunshine Law because at that time the Legislature wanted to ensure that people who were accustomed to looking at meeting notices posted in a central location by the LG or Clerk could still do so. Ten years later, S.B. 3171's proposed change would not require any sort of affirmative posting of notices by the LG or Clerk, but instead would just require that the LG or Clerk make paper or electronic copies of meeting notices available to the public. Since the same information is already available on the electronic calendars maintained by the State and the counties, specifying that the LG or Clerk must provide notices on request would not add much in the way of additional public outreach.

OIP therefore questions what additional value to the public would be provided by having the LG and Clerks provide copies of notices upon request. If this Committee believes that after 10 years the public has fully adapted to electronic posting and it is no longer necessary for meeting notices to also be posted in a central location, **it might be more straightforward for this Committee to simply eliminate the requirement for boards to file a copy of their notices with the LG or Clerk in the first place**, rather than continuing to require boards to do this additional filing.

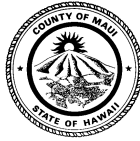
Thank you for considering OIP's testimony.

Council Chair
Alice L. Lee

Vice-Chair
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Tom Cook
Gabe Johnson
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Nohelani U'u-Hodgins



Director of Council Services
David M. Raatz, Jr., Esq.

Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

February 5, 2024

TO: The Honorable Senator Angus L.K. McKelvey, Chair, and
Members of the Committee on Government Operations

FROM: Alice L. Lee
Council Chair

A handwritten signature in cursive script, appearing to read "Alice L. Lee".

SUBJECT: **HEARING OF FEBRUARY 6, 2024; TESTIMONY IN SUPPORT OF SB3171, RELATING TO MEETING NOTICES**

I support this measure, which requires the Office of the Lieutenant Governor or the appropriate county clerk's office to ensure access to paper or electronic copies of all meeting notices and deletes the requirement to post notices in a central location in a public building.

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. It acknowledges that the primary method for board posting and public viewing of meeting notices occurs digitally through websites, email, and other media, and that posting and viewing paper meeting notices hung on a board within a public building no longer serves the function it once did.
2. The measure also reduces the burden to board administrative staff by not requiring them to regularly maintain bulletin boards in public buildings with meeting notices that are nominally used while concurrently mandating that paper or electronic copies of meeting notices must be available to the public at all times.

Thank you for your consideration.



Feb. 6, 2024

Angus McKelvey
Senate Government Operations Committee
State Capitol
Honolulu, HI 96813

Re: Senate Bill 2830

Chairman McKelvey and Committee Members:

We support this bill, would make it firm that the lieutenant governor and county clerks ensure access to government board meetings notices.

We think this bill would center the responsibility for this important function on the lieutenant governor and county clerks.

Thank you,

Stirling Morita
President
Hawaii Chapter SPJ

SB-3171

Submitted on: 2/1/2024 5:54:06 PM

Testimony for GVO on 2/6/2024 3:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Justin Silva	Individual	Support	Written Testimony Only

Comments:

Mandates the Office of the Lieutenant Governor or the appropriate county clerk's office to ensure access to paper or electronic copies of all meeting notices and deletes the requirement to post notices in a central location in a public building