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LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol, Room 446
415 S. Beretania Street
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Written Comments

SB3216

RELATING TO A REGULAR SESSION REVIEW WORKING GROUP

Charlotte A. Carter-Yamauchi, Director
Legislative Reference Bureau

Presented to the Senate Committee on Government Operations

Tuesday, February 10, 2026, 3:10 p.m.
Conference Room 225 and Via Videoconference

Chair Angus L.K. McKelvey and Members of the Committee:

Good afternoon, Chair McKelvey and members of the Committee. My name is Charlotte Carter-Yamauchi, and I am the Director of the Legislative Reference Bureau (Bureau). Thank you for providing the opportunity to submit written **comments** on **S.B. No. 3216, Relating to a Regular Session Review Working Group**.

The purpose of S.B. No. 3216 is to establish a Regular Session Review Working Group to consider the suggestions proposed by the Bureau's report, *Sine Die Another Day: Should Hawaii's Legislative Sessions Be Longer?*, which the Bureau submitted to the Legislature in response to House Concurrent Resolution No. 138, H.D. 1, S.D.1 (2024) (H.C.R. No. 138). More specifically, S.B. No. 3216:

- (1) Establishes the Regular Session Review Working Group to determine the essential timing and effective framework for a lengthened legislative session calendar for election and non-election years;
- (2) Establishes the membership of the Working Group, which includes two Co-Chairs, one of whom shall be a Senator selected by the President of the Senate and the other of whom shall be a Representative selected by the Speaker of the House of Representatives;

- (3) Requires the Working Group to:
 - (A) Study the feasibility of transitioning the Hawaii State Legislature's regular session from one that meets from mid-January to early May to one that is lengthened, which means any regular session that is of significantly longer duration than Hawaii's typical January-to-May regular session;
 - (B) Analyze the financial impacts and necessary costs to operate lengthened regular sessions, including staffing requirements, changes to legislative services, operational costs, office space needs, and impacts on legislation;
 - (C) Analyze and recommend any constitutional, statutory, and legislative rule changes necessary to implement lengthened regular sessions;
 - (D) Examine other states that have lengthened sessions, as deemed appropriate by the Working Group; and
 - (E) Consider the findings and suggestions made by the Bureau in its H.C.R. No. 138 report;
- (4) Requires the Working Group to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2028;
- (5) Requires the Bureau to finalize the Working Group's report and draft any proposed legislation; provided that the Working Group submits a draft report to the Bureau no later than October 31, 2027; and
- (6) Appropriates \$100,000 to each the Senate and the House of Representatives to facilitate Working Group meetings, and provides that the contracting of services using appropriated funds shall be exempt from the Procurement Code.

The Bureau takes no position on the merits of this measure but submits the following comments for your consideration.

The Bureau believes that the services required of the Bureau under S.B. No. 3216 are manageable, provided that the Bureau's interim workload is not adversely impacted by too many other additional responsibilities, such as conducting studies, writing or finalizing other reports, drafting legislation, or any combination of these for the Legislature or for other state agencies, task forces, or working groups that may be requested or required under other legislative measures.

Thank you again for your consideration.



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TESTIMONY
OF
BONNIE KAHAKUI, ADMINISTRATOR
STATE PROCUREMENT OFFICE

TO THE SENATE COMMITTEE
ON
GOVERNMENT OPERATIONS
February 10, 2026

SENATE BILL 3216
RELATING TO A REGULAR SESSION REVIEW WORKING GROUP

Chair McKelvey, Vice Chair Gabbard, and members of the committee, thank you for the opportunity to submit testimony on House Bill 2469, which establishes a Regular Session Review Working Group, requires a report, and appropriate moneys.

The State Procurement Office (SPO) acknowledges the intent of the bill to convene a working group to determine the framework for a continuous legislative session. However, the SPO respectfully opposes the language in the bill under Section 2, Page 9, lines 8-9; Section 3, Page 10, lines 7-9; and Section 4, Page 10, lines 17-18, which state that contracting services using funds appropriated for this purpose shall be exempt from the requirements of Chapter 103D – Hawaii Public Procurement Code, Hawaii Revised Statutes (HRS),

The SPO recommends revisions to require that contracts are subject to HRS Chapter the Hawaii Procurement Code.

- **Section 2, Page 9, lines 5-9:**

"(f) The co-chairs of the regular session review working group may contract the services of a qualified facilitator to facilitate its meetings if the co-chairs deem it appropriate. Any contract subject to this subsection shall be [~~exempt from~~] subject to chapter 103D, Hawaii Revised Statutes."

- **Section 3, Page 10, lines 3-9:**

"SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2026-2027 to facilitate meetings of the regular session review working group; provided that the contracting of services using funds appropriated under this section shall be ~~[exempt from]~~ subject to chapter 103D, Hawaii Revised Statutes."

- **Section 4, Page 10, lines 12-18:**

"SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2026-2027 to facilitate meetings of the regular session review working group; provided that the contracting of services using funds appropriated under this section shall be ~~[exempt from]~~ subject to chapter 103D, Hawaii Revised Statutes."

The SPO testifies that contracts should comply with Chapter 103D, HRS, to ensure fair, open competition, equality, and safeguard the integrity of the contracting process, preventing favoritism, collusion, or fraud in awarding of contracts. This also ensures oversight, accountability, and transparency in the procurement process, which is vital to good government.

Thank you for the opportunity to submit testimony on this measure.

OFFICE OF INFORMATION PRACTICES

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To: Senate Committee on Government Operations

From: Carlotta Amerino, Director

Date: February 10, 2026, 3:10 p.m.
State Capitol, Conference Room 225

Re: Testimony on S.B. No. 3216
Relating to a Regular Session Review Working Group

Thank you for the opportunity to submit testimony on this bill, which would create a Regular Session Working Group that would be exempt from the Sunshine Law, part I of chapter 92, Hawaii Revised Statutes. The Office of Information Practices (OIP) takes no position on the substance of this bill, but offers comments on the proposed Sunshine Law exemption.

OIP defers to the Legislature's authority to exempt or not exempt the Working Group from the Sunshine Law. If the Working Group is exempt from the Sunshine Law, it is not required to give public notice of its meetings; not required to allow public participation; and not required to keep a record of its meetings. The Sunshine Law was enacted to protect the public's right to know. It recognizes that "[i]n a democracy, the people are vested with the ultimate decision-making power." HRS § 92F-2. Government boards exist to serve the people; to help create and carry out public policies that affect us all. The "only viable and reasonable method of protecting the public's interest" is to open government processes to public scrutiny and participation. Id.

OIP recognizes that the legislative calendar is an issue that may be of more compelling interest to the Legislature itself than to the public at large. Nonetheless, exempting the Working Group from the Sunshine Law could result in it deciding not to allow public participation in meetings. This would mean that the recommendations created by the Working Group – which would have only one member from outside government – would be made without any public input. Public feedback on a group’s work and discussions is important to help that group craft solutions and recommended legislation that will work for everyone affected.

OIP therefore respectfully recommends that this Committee consider alternatives to a full Sunshine Law exemption. For example, the Working Group could be **subject to the Sunshine Law, but given a special permitted interaction** allowing less than a quorum of members to discuss Working Group business together so long as they refrained from making or seeking a commitment to vote. That would allow up to five of the eleven members to talk together without worrying about whether their discussion included issues before the Working Group, while still ensuring the public was kept informed via minutes and open meetings, and could submit testimony on issues before the Working Group. **To make this change,** this Committee should replace subsection (i) beginning on bill page 9, line 19, with the following:

- (i) In addition to the permitted interactions provided in section 92-2.5, Hawaii Revised Statutes, the regular session working group’s members may discuss between themselves matters relating to official board business to enable them to perform their duties faithfully, as long as no commitment to vote is made or sought and the members do not constitute a quorum of their board

Thank you for considering OIP’s testimony.

SB-3216

Submitted on: 2/6/2026 7:03:28 PM

Testimony for GVO on 2/10/2026 3:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Jacob Wiencek	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

We have been debating for years on whether to move the state legislature to a fulltime session. We had a major report from LRB drop and now we're considering a working group to look at options.

The time for study and indecision is over. It's time to make a decision. I **SUPPORT** this working group with the understanding it will lead to an actual result.

SB-3216

Submitted on: 2/7/2026 10:45:06 AM

Testimony for GVO on 2/10/2026 3:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Lila Mower	Individual	Support	Written Testimony Only

Comments:

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SB-3216

Submitted on: 2/7/2026 8:49:59 PM

Testimony for GVO on 2/10/2026 3:10:00 PM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Oppose	Written Testimony Only

Comments:

Please accept this as testimony in opposition to this measure. All it does is postpone action. The working group has two years to prepare a report, and then no action can be taken until 2029. If a constitutional amendment is required, that further pushes it back. With all that is going on in the state, the nation, and the world this needs to move forward, rapidly, not at a purposeful snail's face which means nothing will ever happen.

Lynne Matusow