

ACT 404

H.B. NO. 2006

A Bill for an Act Relating to the Establishment of a Statewide Fair Access Commission and Making an Appropriation Therefor.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. **Purpose.** The legislature finds that in a democracy the people are vested with the ultimate decision making power and that governmental activities and decision making must be open to public scrutiny and participation by all citizens. The legislature further finds that both legal and physical barriers to government should be minimized whenever possible.

The legislature recognizes that the miles of ocean which separate our islands inhibit access to government employees, records, activities, and the decision making process for neighbor island residents. Although the removal of this physical barrier is not possible, the legislature finds that the rights of all citizens must be preserved and every effort must be expended to ensure that no residents unreasonably are denied access to their government.

It is the purpose of this Act to establish a statewide fair access commission to review governmental accessibility and to explore the various means to ensure that:

- (1) Neighbor island citizens are not cut off unnecessarily from participation in government; and
- (2) Neighbor island citizens have full access and can participate effectively in the process of government, including timely access to public information and services.

SECTION 2. Statewide fair access commission: membership and scope of work. (a) There shall be within the office of the governor, for administrative purposes only, a temporary commission entitled the statewide fair access commission. The commission shall consist of seven members to be appointed by the governor. Each island, other than Oahu, shall be represented by at least one member on the commission, and no county shall have more than three residents as members on the commission.

(b) The commission shall review the accessibility of government activities and processes to citizens who live on the neighbor islands. The committee also shall consider various means by which the quantity and quality of access can be improved. During the course of its work, the commission may hold public hearings throughout the State and may call upon the assistance of any government agency in carrying out its mandate. Among other items, the commission shall consider:

- (1) The printing of public hearing notices in neighbor island newspapers;
- (2) The use of toll-free telephone lines from the neighbor islands or the accepting of collect calls by government agencies;
- (3) The maintenance of certain types of files and records in neighbor island offices rather than at central sites on Oahu;
- (4) The routine collection of data on a county basis rather than on a statewide basis;
- (5) The provision of confidential meeting rooms in neighbor island offices; and
- (6) The provision of modern technology to facilitate information access and transmission between government offices and the public on different islands.

(c) The commission members shall serve without compensation but shall be allowed actual and necessary expenses, including travel expenses, incurred in the performance of their duties.

(d) The commission shall report its findings to the 1989 session of the Legislature and shall cease operations on June 30, 1989."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$150,000, or so much thereof as may be necessary for fiscal year 1988-89 to carry out the purposes of this Act, including the hiring of staff not subject to chapters 76 and 77. The sum appropriated shall be expended by the office of the governor for the purposes of this Act. Any unexpended or unencumbered balance of any appropriation made by this Act as of the close of business on June 30, 1989, shall lapse into the general fund.

SECTION 4. This Act shall take effect on July 1, 1988.

(Approved June 17, 1988.)