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To: Senate Committees on Government Operations and on Energy
and Intergovernmental Affairs

From: Carlotta Amerino, Director

Date: January 30, 2025, 3:00 p.m.
State Capitol, Conference Room 225

Re: Testimony on S.B. No. 869
Relating to Community Outreach Boards

Thank you for the opportunity to submit testimony on this bill, which would define community outreach boards and add them to part VII of chapter 92, HRS (Part VII), which currently contains provisions specific to neighborhood boards setting out (among other things) partial exceptions to the Sunshine Law, part I of chapter 92. The Office of Information Practices (OIP) offers **comments** on this bill.

OIP administers the Sunshine Law, and although Part VII is not a part of the Sunshine Law, OIP must interpret it when one of its partial exceptions to the Sunshine Law arises in the context of a Sunshine Law dispute. The bill's purpose clause makes clear that it is intended to add community outreach boards to the existing meeting provisions (including partial Sunshine Law exceptions) set out in Part VII, but it does not offer any examples of what boards the bill is intended to apply to. OIP is not aware of any existing boards that would meet the definition of a community outreach board but could not be considered a neighborhood board under the current law, so OIP would appreciate clarification as to what this bill is intended to change. Specifically, OIP respectfully requests that if the Committees

Senate Committees on Government Operations and on Energy
and Intergovernmental Affairs

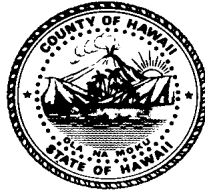
January 30, 2025

Page 2 of 2

pass this bill out, they also include in the committee report examples of boards that are not currently covered by Part VII but would be with the addition of community outreach boards.

Thank you for considering OIP's testimony.

C. Kimo Alameda, PhD.
Mayor



John Pelletier
Vacant
Heather Korotie
Vacant
Charles Young, Chair
Nancy Pisticchio, Vice-Chair
Charla Thompson
David Huerta
Roselyn Molina

County of Hawai'i

KONA COMMUNITY DEVELOPMENT PLAN ACTION COMMITTEE

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720
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January 29, 2025

The Honorable Angus L.K. McKelvey, Chair
Senate Committee on Government Operations
and
The Honorable Glenn Wakai, Chair
Senate Committee on Energy and Intergovernmental Affairs
Hawaii State Capitol, Conference Room 225
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: Testimony in Support of SB869: RELATING TO COMMUNITY OUTREACH BOARDS.

Dear Chair McKelvey, Chair Wakai, and Members of the Committees,

I am Charles Young and chair the Kona Community Development Plan Action Committee. I am writing to ask for your support of SB869: RELATING TO COMMUNITY OUTREACH BOARDS. On January 14, 2025, the Kona Community Development Plan Action Committee voted unanimously to support this measure.

Since the creation of the County of Hawaii's advisory CDP Action Committee Program in 2009 we have had to convene our meetings under the strict regulatory Sunshine Law requirements required of all decision-making bodies, such as the County Council.

SB869 proposes to make minor updates to Part VII Chapter 92.81 related to Neighborhood Boards. In addition, SB869 proposes the adoption of a new generic definition for community outreach boards under 92-2 HRS.

The Kona CDP Action Committee believes the passage of SB869 will greatly increase the ability of all of Hawai'i County's CDP Action Committees to better serve our communities and encourage public participation in local government.

Mahalo,

C

Charles Young,
Chair Kona CDP Action Committee

Signature: 
Charles Young (Jan 29, 2025 08:21 HST)

Email: youngc042@hawaii.rr.com



Nancy Pisicchio

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January 28, 2025

The Honorable Angus L.K. McKelvey, Chair
Senate Committee on Government Operations
and
The Honorable Glenn Wakai, Chair
Senate Committee on Energy and Intergovernmental Affairs
Hawaii State Capitol, Conference Room 225
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: Testimony in Support of SB869: RELATING TO COMMUNITY OUTREACH BOARDS.

Dear Chair McKelvey, Chair Wakai, and Members of the Committees,

My name is Nancy Pisicchio. I live in Kailua-Kona. As Vice Chair of the Kona Community Development Plan Action Committee, I am writing to ask you to support SB 869.

This bill serves to correct a technical problem in Chapter 92.81 hrs. which is the section of the state Sunshine Law [PART VII.] specifically related to neighborhood boards. Although this 2008 amendment to chapter 92, HRS was intended to benefit all counties in the State of Hawai'i, the term "neighborhood board" does not have a definition under State law and actually refers only to a program adopted in the City and County of Honolulu. Therefore, SB869 includes language to accommodate the intended state-wide applicability to other similar advisory community outreach boards and committees created in other counties.

The County of Hawaii's Community Development Plan Action Committee program was adopted in 2009 by the County Code and is overseen by the Department of Planning. Similar to the Neighborhood Board program in the City and County of Honolulu, these advisory committees, serving different districts around Hawai'i Island, strive to increase grassroots education and build collaboration between citizens and local government. However, since the creation of the program, the County of Hawaii's Community Development Plan Action Committees have had to convene our meetings under the strict Sunshine Law rules required of regulatory bodies such as the City and County Councils. The changes proposed in SB869 will vastly increase our ability to carry out this mission.

Thank you for your consideration.

Respectively,

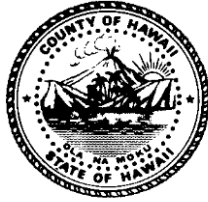


Nancy Pisicchio

C. Kimo Alameda, Ph.D.
Mayor

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KA'Ū COMMUNITY DEVELOPMENT PLAN ACTION COMMITTEE

January 29, 2025

The Honorable Angus L.K. McKelvey, Chair
Senate Committee on Government Operations
and
The Honorable Glenn Wakai, Chair
Senate Committee on Energy and Intergovernmental Affairs
Hawaii State Capitol, Conference Room 225
415 South Beretania Street
Honolulu, Hawai'i 96813

RE: Testimony in Support of SB869: RELATING TO COMMUNITY OUTREACH BOARDS.

Dear Chair McKelvey, Chair Wakai, and Members of the Committees,

I am Jason Masters and Chair the Ka'ū Community Development Plan Action Committee. I am writing to ask for your support of SB869: RELATING TO COMMUNITY OUTREACH BOARDS. On January 28, 2025 the Ka'ū Community Development Plan Action Committee voted unanimously to support this measure.

Since the creation of the County of Hawaii's advisory CDP Action Committee Program in 2009 we have had to convene our meetings under the strict regulatory Sunshine Law requirements required of all decision-making bodies, such as the County Council.

SB869 proposes to make minor updates to Part VII Chapter 92.81 related to Neighborhood Boards. In addition, SB869 proposes the adoption of a new generic definition for community outreach boards under 92-2 HRS.

The Ka'ū CDP Action Committee believes the passage of SB869 will greatly increase the ability of all of Hawai'i County's CDP Action Committees to better serve our communities and encourage public participation in local government.

Mahalo,

Jason Masters, Chair
Ka'ū CDP Action Committee

SB-869

Submitted on: 1/29/2025 12:22:43 AM

Testimony for GVO on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
brad kurokawa	Testifying for Hamakua Community Development Plan Action committee	Support	Written Testimony Only

Comments:

Aloha Chair Wakai and Chair McKelvey and members of the EIG/GVO committees,

My name is Brad Kurokawa from Hawaii island. I currently live in Hakalau on the Hamakua coast of Hawaii island. I have been an active community advocate for many years. I was a Hawaii island representative on the task force for the state Hawaii 2050 Sustainability plan (HRS 226-65) as well as a long time contributor to the Hawaii Physical Activity & Nutrition Plan (PAN) effort. I currently serve on the Hamakua Community Development Plan (CDP) Action committee, an advisory committee comprised of community members tasked with serving as the liaison between our Hamakua District (1 of 9 island districts) communities and county government advocating for implementation of the Hamakua CDP as adopted by county ordinance in 2018. I previously served on the Hamakua CDP Steering committee as its chair from 2008-2018 when the CDP was adopted.

I am writing to strongly SUPPORT SB 869 RELATING TO COMMUNITY OUTREACH BOARDS. The proposed bill is simple common sense legislation that enables our Hawaii island Community Development Plans' Action committees and other community outreach entities statewide to function more effectively and efficiently as community liaisons between our communities' residents and government. Essentially, SB 869 modifies the state's Sunshine Law as it pertains to community outreach boards/committees such as ours and makes it easier for us to engage with our community residents during our public meetings. Amending HRS 92.81-83, SB 869 would allow advisory CDP Action Committees to take testimony from community members who may want to speak on items not on the committee meeting agenda. And CDP AC members could discuss items brought to their attention that are not on the agenda, as long as no vote is taken. Also, CDP ACs could continue with a meeting even if they lose quorum, as long as any vote is deferred until a future meeting. The proposed bill makes very basic tweaks that address the aforementioned situations that discourage community from participating in our committees' public meetings. SB 869 would enable better community outreach and engagement that is especially important at the local level as well as critical for democracy in these crazy times we find ourselves in. And, this bill does not cost anything!

Mahalo for your consideration and support! Please also encourage your legislative colleagues to support this proposed bill.

Warm Aloha,

Brad Kurokawa

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Senate Committee on Government Operations
Honorable Angus L.K. McKelvey, Chair
Honorable Mike Gabbard, Vice Chair

Senate Committee on Energy and Intergovernmental Affairs
Honorable Glenn Wakai, Chair
Honorable Stanley Chang, Vice Chair

**RE: Testimony with Comments on S.B. 869, Relating to Community
Outreach Boards**
Hearing: February 30, 2025 at 3:00 p.m.

Dear Chairs and Members of the Committees:

My name is Ben Creps. I am a staff attorney at the Public First Law Center, a nonprofit organization that promotes government transparency.

Thank you for the opportunity to submit testimony with **comments** on S.B. 869. We support the intent of increasing opportunities for public participation in government. We offer two amendments to better effectuate the intent of this measure and curb potential abuse.

First, section 2 cuts against the overall intent of this measure by authorizing *commissions* to create community outreach boards. Commission members may already attend informational meetings organized by community groups and others under HRS § 92-2.5(e). **We thus recommend deletion of the “county commission or” language at line 6 of page 2.**

Second, section 5 creates a loophole by allowing part VII boards to “organize” meetings “on matters relating to official board business” without following the open meeting requirements of the Sunshine Law. The intent behind HRS § 92-82 is to allow board members to attend informational meetings organized by *other* groups. If a meeting about board business is organized by a board, it should be a regular meeting, not a permitted interaction as proposed here. **We thus recommend deletion of the “or organize” language at line 5 of page 4, and conforming the preamble consistently.**

We further note that this measure does not provide a process or framework for the creation of a community outreach board, nor does it set any parameters or guidance on board composition.

Thank you again for the opportunity to testify with comments on S.B. 869.



January 28, 2025

Dear Senators Wake, Chang, McKelvey and Gabbard,

First, I very much appreciate that the Vice-Chairs of the EIG and GVO Committees are co-sponsors of SB869.

On Hawaii Island, I served on the Advisory Committee to the Executive on Aging. I also was a member of the Redistricting Commission representing Hamakua, which was not an Advisory Committee per se. Now, I participate as a member of the public in the meetings of the Hamakua Community Development Plan (HCDP) Action Committee, a voluntary group committed to partnering with the County to implement the Plan. It has no decision making authority, but can request information and dialogue with the County and other parties as a body under the Planning Department.

My experience is that the bureaucratic rules imposed on the Advisory Committees thwart open discussion, and frustrate those who would like to participate. My neighbor, new to this kind of public service activity, joined the HCDP Action Committee, but quit before a year was up due to frustration with the process. Several meetings were taken up with boring trainings about the Sunshine laws from corporation counsel. That was enough to never go back again!

SB 869 is very much needed to recognize the difference between elected representatives with decision making authority, and ordinary citizens who just want to improve the community, the County, and the state for the good of all.

Thank you.

Meizhu Lui
Papaaloa, Hawaii Island

SB-869

Submitted on: 1/28/2025 5:10:29 PM

Testimony for GVO on 1/30/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Pelletier	Individual	Support	Written Testimony Only

Comments:

Aloha nui kākou, aloha Chairs, Vice Chairs, and members of the committees. I'm John Pelletier, a member of the Kona Community Development Action Committee, and I'm testifying in support of SB869.

SB869 is primarily a technical update. In 2008, the State Legislature added a new section to the State Sunshine Law, specifically Part VII of Chapter 92.81-83, HRS, which is titled "Neighborhood Board."

Although this 2008 amendment to Chapter 92, HRS applies to all counties in Hawai'i, the term "neighborhood boards" itself lacks a statewide definition. As a result, the language unintentionally refers solely to the program in the City and County of Honolulu. This has created challenges for similar advisory boards and committees in other counties, including the Community Development Plan Action Committees in Hawai'i County.

The aim of our proposed legislation, "Relating to Community Outreach Boards (2025)," is to make minor amendments to the existing language in "Neighborhood Boards and 92.81-83 HRS," ensuring it is relevant and applicable to similar advisory boards and committees across all counties in Hawai'i.

Now, more than ever, it is critical to find and implement additional strategies that will strengthen community education, communication, and collaboration.

Ke aloha nō,

John Pelletier

'Ahupua'a 'o 'O'oma, North Kona, Island of Hawai'i