

JAN 21 2011

A BILL FOR AN ACT

RELATING TO STATE GOVERNMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that a centralized system
2 of state government provides for efficient coordination of
3 government functions and services, especially for a population
4 spread out over separate islands. However, issues relating to
5 accessibility and delivery of government information, services,
6 and proceedings to residents living on the neighbor islands as
7 well as rural Oahu remain an ongoing challenge, in part because
8 of the centralized location of state government in Honolulu's
9 urban core.

10 The legislature further finds that the residents of Hawaii,
11 Maui, Molokai, Lanai, Kauai, Niihau, and rural Oahu are
12 disadvantaged because of their location away from the seat of
13 government in Honolulu. This is true even though advancements
14 in technology, especially in the field of telecommunications,
15 have significantly reduced physical distance as a limitation on
16 the ability of these residents to access government information,
17 personnel, and proceedings.



1 The legislature believes it is the responsibility of
2 government, through its executive, legislative, and judicial
3 branches, to ensure that the residents of all islands have fair
4 access to government information, services, and proceedings. To
5 this end, the governor may find a statewide fair access
6 commission useful, as it was when this type of commission was
7 last convened in 1989. Moreover, the joint legislative access
8 committee, statutorily created in 1996, has similar duties and
9 thus is the most appropriate body to recommend ways to ensure
10 fair access to legislative proceedings and information.

11 The purpose of this Act is to:

- 12 (1) Authorize the governor to establish a fair access
13 commission; and
- 14 (2) Require both the fair access commission and the joint
15 legislative access committee to review, evaluate, and
16 make recommendations for improving the level of access
17 by neighbor island and rural Oahu residents to
18 proceedings, information, and services of government.

19 SECTION 2. Chapter 27, Hawaii Revised Statutes, is amended
20 by adding a new section to be appropriately designated and to
21 read as follows:



1 "§27- Fair access to state government. (a) The office
2 of the governor shall be responsible to ensure that residents
3 throughout the State have fair access to government information,
4 services, and proceedings.

5 (b) Pursuant to subsection (a), the governor may appoint a
6 statewide fair access commission composed of representatives
7 from all the islands in the State to review, evaluate, and make
8 recommendations for improving the level of access to government
9 by residents on the neighbor islands and rural Oahu.

10 (c) The legislature also shall be responsible for ensuring
11 fair access to information, services, and proceedings of the
12 legislative branch through programs that enable residents
13 statewide to have access to audio and video broadcasts of
14 legislative proceedings, legislative documents, and public
15 education and other services through technologies that allow
16 access by residents on all islands in the State.

17 (d) The judiciary also shall be responsible for ensuring
18 fair access to information, services, and proceedings of the
19 judicial branch; provided that the judiciary shall determine
20 which records are not subject to disclosure under the provisions
21 of chapter 92F."



1 SECTION 3. Section 21D-6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§21D-6 Joint legislative access committee.[+]" There
4 is established the joint legislative access committee which
5 shall be composed of members of the legislature. The president
6 of the senate and the speaker of the house of representatives
7 shall each appoint a co-chair and two members or more to the
8 committee, one of whom shall be a member of the minority party.

9 The committee shall:

- 10 (1) Oversee the staff and operations of the legislative
11 broadcast project, and recommend policies for the
12 project which shall be adopted by concurrent
13 resolution; [~~and~~]
- 14 (2) Review the operations of the public access room,
15 legislative internet project, and other public access
16 projects of the legislature and recommend policies for
17 these projects to the president of the senate and the
18 speaker of the house of representatives[~~-~~]; and
- 19 (3) Review, evaluate, and make recommendations to the
20 presiding officers of the house and senate for
21 improving the level of access to proceedings,



1 information, and services of the legislature by
2 residents on the neighbor islands and in rural Oahu."

3 SECTION 4. Section 27-1, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§27-1 Functions of statewide concern.** The purpose of the
6 chapter is to fix responsibility for certain functions, which
7 are of statewide concern, in the state government. These
8 functions which are declared to be state functions are as
9 follows:

10 (1) Planning, construction, improvement and maintenance of
11 public school facilities and grounds and the
12 transportation of school children; provided that
13 nothing in this paragraph shall preclude the several
14 counties from expending their own funds to supplement
15 state funds;

16 (2) Burial of indigents;

17 (3) Planning, construction, improvement, maintenance, and
18 operation of public hospitals and other public health
19 and medical facilities;

20 (4) Rendering of medical treatment and hospitalization
21 services to state and county pensioners;

22 (5) Administration and operation of district courts; and



1 (6) Providing information [~~and~~], services, and access to
 2 government proceedings to the public through joint
 3 cooperation with the several counties[~~-~~] and a program
 4 to ensure fair access for residents living on the
 5 neighbor islands and in rural Oahu."

6 SECTION 5. Statutory material to be repealed is bracketed
 7 and stricken. New statutory material is underscored.

8 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:

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Report Title:

State Government; Fair Access Commission

Description:

Requires the governor and legislature to ensure public access to information, services, and proceedings of the executive and legislative branches. Authorizes the governor to convene a fair access commission to review public access issues for the neighbor islands and rural Oahu.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

