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# A BILL FOR AN ACT

RELATING TO FAIR PUBLIC ACCESS.

**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 legislature finds that a statewide fair access  
6 commission, such as the one convened in 1989, may prove  
7 beneficial in providing recommendations to the governor.  
8 Moreover, the joint legislative access committee, statutorily  
9 created in 1996, has similar duties and thus is the most  
10 appropriate body to recommend ways to ensure fair access to  
11 legislative proceedings and information.

12           The purpose of this Act is to:

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



1 (3) Appropriate funds to carry out the work of the fair  
2 access commission.

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

6 "§27- Fair access to state government. (a) The office  
7 of the governor shall be responsible for ensuring that residents  
8 throughout the State have fair access to information, services,  
9 and proceedings of the executive branch of state government.

10 (b) Pursuant to subsection (a), the governor may appoint a  
11 statewide fair access commission composed of representatives  
12 from all the islands in the State to review, evaluate, and make  
13 recommendations for improving the level of access to all  
14 functions of the executive branch by residents on the neighbor  
15 islands and rural Oahu.

16 (c) The legislature shall be responsible for ensuring fair  
17 access to information, services, and proceedings of the  
18 legislative branch through programs that enable residents  
19 statewide to have access to electronic broadcasts and on-demand  
20 electronic recordings of legislative proceedings, legislative  
21 documents, and public education and other services through



1 technologies that allow access by residents on all islands in  
2 the State.

3 (d) The judiciary shall be responsible for ensuring fair  
4 access to information, services, and proceedings of the judicial  
5 branch."

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

8 **"~~[f]~~§21D-6 Joint legislative access committee.~~[f]~~** There  
9 is established the joint legislative access committee which  
10 shall be composed of members of the legislature. The president  
11 of the senate and the speaker of the house of representatives  
12 shall each appoint a co-chair and two members or more to the  
13 committee, one of whom shall be a member of the minority party.

14 The committee shall:

15 (1) Oversee the staff and operations of the legislative  
16 broadcast ~~[project,]~~ program and recommend policies  
17 for the ~~[project]~~ program, which shall be adopted by  
18 concurrent resolution; ~~[and]~~

19 (2) Review the operations of the public access room,  
20 legislative internet project, and other public access  
21 projects of the legislature and recommend policies for



1           these projects to the president of the senate and the  
 2           speaker of the house of representatives[-]; and  
 3           (3) Review and evaluate the level of access to  
 4           proceedings, information, and services of the  
 5           legislature by residents on the neighbor islands and  
 6           in rural Oahu and make recommendations to the  
 7           presiding officers of the house of representatives and  
 8           the senate for improving access."

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

11           **"§27-1 Functions of statewide concern.** The purpose of the  
 12          chapter is to fix responsibility for certain functions, which  
 13          are of statewide concern, in the state government. These  
 14          functions which are declared to be state functions are as  
 15          follows:

16           (1) Planning, construction, improvement and maintenance of  
 17          public school facilities and grounds and the  
 18          transportation of school children; provided that  
 19          nothing in this paragraph shall preclude the several  
 20          counties from expending their own funds to supplement  
 21          state funds;



- 1 (2) Burial of indigents;
- 2 (3) Planning, construction, improvement, maintenance, and
- 3 operation of public hospitals and other public health
- 4 and medical facilities;
- 5 (4) Rendering of medical treatment and hospitalization
- 6 services to state and county pensioners;
- 7 (5) Administration and operation of district courts; and
- 8 (6) Providing information [~~and~~], services, and access to
- 9 government proceedings to the public through joint
- 10 cooperation with the several counties[-] and a program
- 11 to ensure fair access for residents living on the
- 12 neighbor islands and in rural Oahu."

13 SECTION 5. There is appropriated out of the general  
 14 revenues of the State of Hawaii the sum of \$ or so  
 15 much thereof as may be necessary for fiscal year 2015-2016 and  
 16 the same sum or so much thereof as may be necessary for fiscal  
 17 year 2016-2017 to establish and carry out the work of the  
 18 statewide fair access commission.

19 The sums appropriated shall be expended by the office of  
 20 the governor for the purposes of this Act.

1 SECTION 6. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect on July 1, 2015.



**Report Title:**

State Government; Statewide Fair Access Commission; Neighbor  
Island Access; Rural Access; Appropriation

**Description:**

Requires the governor, legislature including the joint  
legislative access committee, and judiciary to ensure public  
access to information, services, and proceedings of the  
executive, legislative, and judicial branches, respectively.  
Authorizes the governor to convene a statewide fair access  
commission to review public access issues for the neighbor  
islands and rural Oahu. Appropriates funds to establish and  
carry out the work of the statewide fair access commission.  
(SD1)

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not legislation or evidence of legislative intent.*

