

HONOLULU

# Counties Want Break from Hawaii Sunshine Law

House Speaker's bill would exempt Honolulu City Council, others, from open meetings law.

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The Hawaii Legislature is already exempt from [the state law](#) requiring six days advance notice for public meetings. Could the four county councils be next?

[House Bill 2742](#), up for a [hearing Tuesday afternoon](#), has already caught the attention of good-government watchdogs. Common Cause Hawaii [tweeted](#) about it, and then bloggers [Jan Lind](#) and [Larry Geller](#) sounded the alarm. The latter noted that none other than Speaker Calvin Say introduced the measure.

That's true, but that doesn't mean the speaker actually supports the proposal. Say introduced it "by request," which means it came at the behest of a constituent or group and that Say isn't necessarily standing behind its content. So if it's not Say's initiative, then where did it come from, and why?

Messages left at Say's office weren't returned Monday, when state offices were closed for Presidents Day.

HB2742 isn't part of a legislative package, per se, but you can track this one right back to the counties themselves.

More than a month ago, lawmakers (including Say) met with county representatives when the Hawaii State Association of Counties hosted a lunch at the Capitol. The

organization's package for this session includes a proposal to give the counties additional time — 60 days rather than 45 — to review affordable housing projects.

Some lawmakers said the counties were thinking too small, treating the symptom instead of the root cause. Instead of asking for more time to act, why not ask to remove the hurdle that makes it difficult to act quickly?

I was the only reporter in the room that day. Here's what I wrote in [Inside Honolulu on Jan. 13](#):

**Former Speaker Joe Souki, a Maui [representative who also lobbies the Maui County Council](#), suggested that the counties instead just ask the state to loosen the Sunshine Law, since the six-day posting requirement is what's making it hard to hit the tight deadlines. HSAC President Mel Rapozo, a member of the Kauai County Council, really enjoyed that idea and will press his colleagues to support it.**

never find out what happens, and you never get the full story.

That might be a fair price to pay for agility during the abbreviated timeline that is the part-time Hawaii Legislature session, but does it make sense for year-round, full-time county councils?

Civil Beat left messages Monday for Rapozo, Judiciary Chair Gilbert Keith-Agaran (whose committee will hear the bill Tuesday), and a staffer for [Stanley Chang](#), the Honolulu City Council rep on HSAC. None of our calls or emails were returned on the holiday.

Mystery solved, perhaps, but the bill is still alive.

We've seen the effect of this kind of exemption has on the Legislature. At the Ledge, the Sunshine Law exemption essentially has meant that much of the horse-trading over which bills live and die happens behind closed doors. Unless lawmakers want to talk about it, you

Lind pointed out that the Legislature had the “good sense” to kill similar proposals in 2003 and 2005. We’ll find out Tuesday if the 2012 incarnation gets the same fate.

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