

Honolulu, Hawaii

APR 04 2014

RE: H.B. No. 2139
H.D. 1
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 2139, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow a county council to hold a limited meeting that is open to the public as the guest of a board or community group holding its own meeting under certain conditions. Specifically, this measure amends section 92-3.1, Hawaii Revised Statutes, relating to limited meetings, to:

- (1) Allow any number of county council members to attend and hold a limited public meeting to discuss council business, as the guest of a board or community group holding its own meeting, through June 30, 2018;
- (2) Require notice of the county council limited meeting to meet the requirements of section 92-7, Hawaii Revised Statutes, and indicate the board or community group whose meeting the council is attending, and may include an agenda;
- (3) Require a board or community group that is subject to part I, chapter 92, Hawaii Revised Statutes, and holding a meeting that a county council is attending, to meet



the requirements of part I, chapter 92, Hawaii Revised Statutes;

- (4) Restrict such limited meetings of a county council to no more than one per month for any one board or community group;
- (5) Require all limited meetings to be held in the State; and
- (6) Prohibit limited meetings from being held to circumvent part I, chapter 92, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from the League of Women Voters of Hawaii and two individuals. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that as elected officials, it is the job of county council members to find out how people in the community feel about policy issues and to become educated on those issues. However, under section 92-2.5(e), Hawaii Revised Statutes, if at least a number that constitutes a quorum of county council members attends any meetings or presentations open to the public, those members in attendance may be in violation of the Sunshine Law. This measure will increase communication between county council members and their constituents, while providing public protection against inadequate notice of discussions by county council members in which or by which people may be interested or affected.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2139, H.D. 1, S.D. 1, and recommends that it pass Third Reading.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,

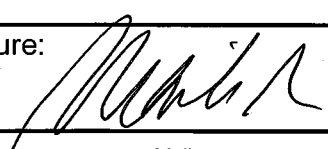


CLAYTON HEE, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2139 ADI SDI	PJM, JDL	4/1/14		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
GALUTERIA, Brickwood	✓			
IHARA, Jr., Les	MS ✓	✓		
SOLOMON, Malama	✓			
SLOM, Sam				✓
TOTAL	5	1		1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes