

STAND. COM. REP. NO.

2662

Honolulu, Hawaii

FEB 29 2008

RE: S.B. No. 3105

S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 3105 entitled:

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

begs leave to report as follows:

The purpose of this measure is to enable boards and
commissions to conduct on-site inspections of locations that are
related to the board's business at which attendance by the public
is not practicable.

More specifically, the measure authorizes a board or
commission to hold a limited meeting in a location that is closed
to the public for reasons of practicality, so long as the board or
commission determines prior to the limited meeting that an on-site
inspection is necessary. The bill also transfers responsibilities
for concurrence regarding limited meetings from the Attorney
General to the Director of the Office of Information Practices.

Testimony in support of this measure was received from the
state Office of Information Practices, The League of Women Voters
of Hawaii, and a private citizen.

Your Committee recognizes that information-gathering by a
board or commission often requires an on-site visit or inspection
to a location that is not open to the public. Your Committee
finds that this measure helps boards and commissions to make more
informed decisions while still ensuring that the public's business
is conducted as openly as possible.

SB3105 SD1 SSCR LRB 08-1582-1.doc



To ensure openness, your Committee amended the measure to require sufficient public deliberation before the board decides to hold the on-site closed meeting.

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 S.B. No. 3105, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3105, S.D. 1, and be placed on the calendar for Third Reading.

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



BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

| | | |
|-------------------------|---------------------|--------|
| Bill / Resolution No.:* | Committee Referral: | Date: |
| SB 3105 | JDL | 2-7-08 |

The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

| Members | Aye | Aye (WR) | Nay | Excused |
|-------------------------|-----|----------|-----|---------|
| TANIGUCHI, BRIAN T. (C) | ✓ | | | |
| HEE, Clayton (VC) | | | | ✓ |
| GABBARD, Mike | ✓ | | | |
| KOKUBUN, Russell S. | | | | ✓ |
| NISHIHARA, Clarence K. | ✓ | | | |
| SLOM, Sam | ✓ | | | |
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| TOTAL | 4 | | | 2 |

Recommendation: Adopted 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