

The purpose of this bill is to afford the public more participation in governmental open meetings and more access to public records.

Your Committee heard favorable testimony from the American Association of University Women, Common Cause, the League of Women Voters and several private citizens. This year marks the tenth anniversary of Hawaii's Sunshine Laws, Chapter 92, Hawaii Revised Statutes. To make government as open as possible to the public to protect the public interests, strengthening of the Sunshine Law is necessary.

Specifically, the bill amends various sections of Chapter 92, to add the following:

(1) Section 92-3: A provision to require the board to give reasonable opportunity to allow the public to testify.

(2) Section 92-4: Two provisions to mandate that a majority of the board vote to close the meeting, and if so voted, that each member's reason for voting for the closed meeting be publicly announced and recorded.

(3) Section 92-5: Three provisions a) to protect in a closed meeting personal information about applicants for vocation and professional licenses; b) to require that closed meetings with the board's attorney be limited to matters relating to an actual, threatened or proposed lawsuit in which the board is a party; and c) to prohibit the board from making a decision or deliberate toward a decision in an executive meeting.

(4) Section 92-7: Two provisions to require the board to give the public notice of an

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**SENATE JOURNAL - STANDING COMMITTEE REPORTS** 1197

executive meeting, if known in advance, and the reason for it, and to mandate that no item of major importance be considered at a meeting continued at a later date.

(5) Section 92-12: Two provisions a) to direct the Attorney General and the Prosecuting Attorney to investigate a complaint from a citizen of the state; and b) to allow and set standards for a suit in court for any violation.

(6) Section 92-51: A provision to forbid a public official from requiring that a reason be stated before a public record can be inspected.

(7) Section 92-52: A provision to require attorneys fees and costs to the successful plaintiff in a lawsuit for any violation.

Your Committee amended the bill to delete the provisions regarding public records, sections 92-51 and 92-52. These proposals will be incorporated in another bill, S.B. 613, which relates to only records.

Your Committee on Judiciary is in accord with the intent and purpose of S.B. No. 1413, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1413, S.D. 1, and be placed on the calendar for Third Reading.

Signed by all members of the Committee.