

---

---

# A BILL FOR AN ACT

RELATING TO PUBLIC ACCOUNTABILITY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the public has a  
2 legitimate interest in the governance and decision-making of  
3 public utilities. This extends to nonprofit utility  
4 cooperatives, which like all public utilities operate to provide  
5 an essential public service. Requiring nonprofit utility  
6 cooperatives to hold open meetings and maintain open records  
7 promotes and protects this legitimate public interest.

8           The purpose of this Act is to require nonprofit utility  
9 cooperatives to be subject to the open meeting and record  
10 requirements of chapters 92 and 92F, Hawaii Revised Statutes.

11           SECTION 2. Chapter 421C, Hawaii Revised Statutes, is  
12 amended by adding a new section to be appropriately designated  
13 and to read as follows:

14           "§421C-    Utility cooperatives; open meetings; open  
15 records.   Any cooperative that:

16           (1) Provides services as a public utility, as defined in  
17           chapter 269; and

18           (2) Is organized as a nonprofit pursuant to chapter 414D,



# H.B. NO. 2849

1 shall be subject to the requirements of chapters 92 and 92F,  
2 unless otherwise restricted by law."

3 SECTION 3. New statutory material is underscored.

4 SECTION 4. This Act shall take effect upon its approval.

5

INTRODUCED BY: Mumma Moute

BJ  
Tony Van  
Gordon Heled  
Ray R. Tanaka  
Fyla B. Berg  
Mel Carroll  
Cindy Evans

JAN 25 2006

HB 2849

**Report Title:**

Public Utility Cooperatives; Open Meetings; Open Records

**Description:**

Applies the open meeting and record requirements of chapters 92 and 92F, Hawaii Revised Statutes, to nonprofit utility cooperatives.

