
A BILL FOR AN ACT

RELATING TO PUBLIC AGENCY MEETINGS.

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

1 SECTION 1. The legislature finds that the public interest
2 is served best by striking the correct balance among open and
3 transparent governmental processes, privacy concerns for public
4 officials, and the ability of public agencies to carry out their
5 duties reasonably and responsibly.

6 The purpose of this Act is to broaden public agency
7 meetings law by allowing:

- 8 (1) Discussions conducted in private between one or more
9 members of a board and the governor to include other
10 elected officials;
- 11 (2) Discussions between two or more members of a board and
12 the head of a department to which a board is
13 administratively assigned to include the executive
14 secretary or executive director of the board; and
- 15 (3) A board to hold a meeting closed to the public to
16 consult with the executive secretary or executive
17 director to the board.



1 SECTION 2. Section 92-2.5, Hawaii Revised Statutes, is
2 amended by amending subsections (d) and (e) to read as follows:

3 "(d) Discussions [~~between~~] among the governor, other
4 elected officials, and one or more members of a board may be
5 conducted in private without limitation or subsequent reporting;
6 provided that the discussion does not relate to a matter over
7 which a board is exercising its adjudicatory function.

8 (e) Discussions [~~between~~] among two or more members of a
9 board and the head of a department to which the board is
10 administratively assigned, and the executive secretary or
11 executive director to the board may be conducted in private
12 without limitation; provided that the discussion is limited to
13 matters specified in section 26-35."

14 SECTION 3. Section 92-5, Hawaii Revised Statutes, is
15 amended by amending subsection (a) to read as follows:

16 "(a) A board may hold a meeting closed to the public
17 pursuant to section 92-4 for one or more of the following
18 purposes:

19 (1) To consider and evaluate personal information relating
20 to individuals applying for professional or vocational
21 licenses cited in section 26-9 or both;



- 1 (2) To consider the hire, evaluation, dismissal, or
2 discipline of an officer or employee or of charges
3 brought against the officer or employee, where
4 consideration of matters affecting privacy will be
5 involved; provided that if the individual concerned
6 requests an open meeting, an open meeting shall be
7 held;
- 8 (3) To deliberate concerning the authority of persons
9 designated by the board to conduct labor negotiations
10 or to negotiate the acquisition of public property, or
11 during the conduct of such negotiations;
- 12 (4) To consult with the board's attorney or the executive
13 secretary or executive director to the board on
14 questions and issues pertaining to the board's powers,
15 duties, privileges, immunities, and liabilities;
- 16 (5) To investigate proceedings regarding criminal
17 misconduct;
- 18 (6) To consider sensitive matters related to public safety
19 or security;
- 20 (7) To consider matters relating to the solicitation and
21 acceptance of private donations; and



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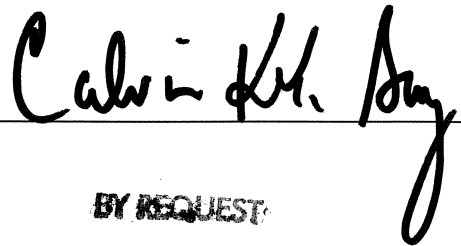
1 (8) To deliberate or make a decision upon a matter that
2 requires the consideration of information that must be
3 kept confidential pursuant to a state or federal law,
4 or a court order."

5 SECTION 4. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 5. This Act shall take effect upon its approval.

8

INTRODUCED BY: _____



BY REQUEST

JAN 25 2006



HB 2977

Report Title:
Public Agency; Meetings

Description:
Broadens the public agency meetings and records law.

