

STAND. COM. REP. NO.

2656

Honolulu, Hawaii

FEB 29 2008

RE: S.B. No. 2174

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. 2174 entitled:

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

begs leave to report as follows:

The purpose of this measure is to allow two or more members
of a board to diligently perform their duties as board members by
discussing official board business, so long as the two or more
board members do not make or seek a commitment to vote and they do
not constitute a quorum.

Testimony in support of this measure was submitted by the
Maui County Council and the Hawai'i Civil Rights Commission.
Comments on this measure were submitted by the Office of
Information Practices.

Your Committee finds that under existing law, two members of
a board may discuss matters relating to official board business,
so long as no commitment to vote is made or sought and that the
two members do not constitute a quorum. However, if a third board
member wants to participate in the discussion, and the discussion
continues, these board members would be in violation of the law.

Your Committee also finds that permitting two or more board
members to discuss official board business in private without a
quorum allows them to have more flexibility toward efficiently
completing official board business. Furthermore, your Committee
finds that this measure does not change the meaning of the
Sunshine Law.

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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. 2174 and recommends that it pass Second Reading 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



