

JAN 26 2011

---

---

# A BILL FOR AN ACT

RELATING TO PUBLIC MEETINGS AND RECORDS.

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

1           SECTION 1. The legislature finds that openness in  
2 government is an important principle for Hawaii's people. The  
3 legislature also finds that the current requirement for the  
4 sunshine law, chapter 92, Hawaii Revised Statutes, to be  
5 strictly construed against closed meetings fails to take into  
6 account the principle of government efficiency, which is  
7 similarly important to Hawaii's people.

8           The purpose of this Act is to ensure that due consideration  
9 is given to the principle of government efficiency when  
10 construing the sunshine law and to establish a reasonableness  
11 standard for the application of the sunshine law.

12           SECTION 2. Section 92-1, Hawaii Revised Statutes, is  
13 amended to read as follows:

14           "**§92-1 Declaration of policy and intent.** In a democracy,  
15 the people are vested with the ultimate decision-making power.  
16 Governmental agencies exist to aid the people in the formation  
17 and conduct of public policy. Opening up the governmental  
18 processes to public scrutiny and participation is the only



1 viable and reasonable method of protecting the public's  
2 interest. Therefore, the legislature declares that it is the  
3 policy of this State that the formation and conduct of public  
4 policy - the discussions, deliberations, decisions, and action  
5 of governmental agencies - shall be conducted [~~as openly as~~  
6 ~~possible.~~] openly, efficiently, and economically on behalf of  
7 the people. To implement this policy the legislature declares  
8 that:

- 9 (1) It is the intent of this part to protect the people's  
10 right to know;
- 11 (2) The provisions requiring open meetings shall be  
12 liberally construed[+] with due regard to the  
13 efficient and economical use of government resources;  
14 and
- 15 (3) The provisions providing for exceptions to the open  
16 meeting requirements shall be [~~strictly~~] reasonably  
17 construed against closed meetings."

18 SECTION 3. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20





**Report Title:**

Sunshine Law; Public Meetings

**Description:**

Ensures that due consideration is given to government efficiency when construing the sunshine law; establishes a reasonableness standard for implementation of the sunshine law.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

