

STAND. COM. REP. NO. 603

Honolulu, Hawaii

MAR 05 2015

RE: S.B. No. 652
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 652 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to require a public board to report any final action taken during an executive meeting, provided that such disclosure is not inconsistent with the purpose of convening the executive meeting and confidentiality is maintained.

Your Committee received testimony in support of this measure from the Office of Information Practices. Your Committee received comments on this measure from The Civil Beat Law Center for the Public Interest.

Your Committee finds that Sunshine Law does not require a public board to publicly announce a vote or elaborate on any discussion deliberated upon in executive session. However, while some boards voluntarily choose to publicly announce the action taken in executive session, other boards are reluctant to divulge any information about executive sessions. This measure provides an opportunity for members of the public to learn of a board's discussion or final action taken in an executive session within the parameters of chapter 92, Hawaii Revised Statutes, while also adhering to issues of confidentiality.

Your Committee has amended this measure by:

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- (1) Inserting board discussion in addition to final action taken by the board in an executive session; and
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion.

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. 652, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 652, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,


GILBERT S.C. KEITH-AGARAN, Chair



