September 1, 2016

MEMO TO: PIA-4(2) File

F R O M: Michael P. Victorino, Chair Dull Ptte Policy and Intergovernmental Affairs Committee

## SUBJECT: TRANSMITTAL OF INFORMATIONAL DOCUMENT RELATING TO MAUI COUNTY LEGISLATIVE PACKAGE (PIA-4(2))

The attached informational document pertains to Item 4(2) on the Committee's agenda.

pia:ltr:004(2)afile01:cmn

Attachment

2016 SEP -

R

ü



GOV. MSG. NO. 1157

#### EXECUTIVE CHAMBERS Honolulu

DAVID Y. IGE GOVERNOR

June 6, 2016

The Honorable Ronald D. Kouchi, President and Members of the Senate Twenty-Eighth State Legislature State Capitol, Room 409 Honolulu, Hawai'i 96813 The Honorable Joseph M. Souki, Speaker and Members of the House of Representatives Twenty-Eighth State Legislature State Capitol, Room 431 Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 6, 2016, the following bill was signed into law:

SB2121 SD1 HD1 CD1

RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS ACT 056 (16)

Sincerely,

Hand

DAVID Y. IGE Governor, State of Hawai'i

Approved by the Governor JUN 6 2016 THE SENATE TWENTY-EIGHTH LEGISLATURE, 2016 STATE OF HAWAII

ACT 0 5 6 S.B. NO. S.D. 1 H.D. 1 C.D. 1

1

# A BILL FOR AN ACT

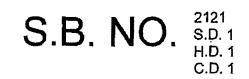
RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS.

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

1	SECTION 1. Act 221, Session Laws of Hawaii 2014, is
2	amended by amending section 4 to read as follows:
3	"SECTION 4. This Act shall take effect upon its approval[ $ au$
4	provided-that on June-30, 2016, section 2 of this Act shall be
5	repealed-and-section-92-3.1, Hawaii Revised Statutes, shall be
6	reenacted in the form in which it read on the day before the
7	effective date of this Act]."
8	SECTION 2. Section 92-3.1, Hawaii Revised Statutes, is
9	amended to read as follows:
10	"§92-3.1 Limited meetings. (a) If a board determines
11	that it is necessary to meet at a location that is dangerous to
12	health or safety, or if a board determines that it is necessary
13	to conduct an on-site inspection of a location that is related
14	to the board's business at which public attendance is not
15	practicable, and the director of the office of information
16	practices concurs, the board may hold a limited meeting at that
17	location that shall not be open to the public; provided that at
18	a regular meeting of the board prior to the limited meeting:
	2016-2268 SB2121 CD1 SMA.doc

Page 2

.



1	(1)	The board determines, after sufficient public
2		deliberation, that it is necessary to hold the limited
3		meeting and specifies that the location is dangerous
4		to health or safety or that the on-site inspection is
5		necessary and public attendance is impracticable;
6	(2)	Two-thirds of all members to which the board is
7		entitled vote to adopt the determinations required by
8		paragraph (1); and
9	(3)	Notice of the limited meeting is provided in
10		accordance with section 92-7.
11	(b)	A county council may hold a limited meeting that is
12	open to th	ne public, as the guest of a board or community group
13	holding it	s own meeting, and the council shall not be required
14	to have a	quorum of members in attendance or accept oral
15	testimony;	provided that:
16	(1)	Notice of the limited meeting shall be provided in
17		accordance with section 92-7, shall indicate the board
18		or community group whose meeting the council is
19		attending, and shall not be required to include an
20		agenda;



2

Page 3

## **S.B. NO.** 2121 S.D. 1 H.D. 1 C.D. 1

-----

1	(2)	If the board or community group whose meeting the
2		council is attending is subject to part I, chapter 92,
3		then that board or community group shall comply with
4		the notice, agenda, testimony, minutes, and other
5		requirements of part I, chapter 92;
6	(3)	No more than one limited meeting per month shall be
7		held by a county council for any one board or
8		community group;
9	(4)	No limited meetings shall be held outside the State;
10		and
11	(5)	Limited meetings shall not be used to circumvent the
12		purpose of part I, chapter 92.
13	(c)	At all limited meetings, the board shall:
14	(1)	Videotape the meeting, unless the requirement is
15		waived by the director of the office of information
16		practices, and comply with all requirements of section
17		92-9;
18	(2)	Make the videotape available at the next regular
19		meeting; and
20	(3)	Make no decisions at the meeting.

•

3

.

Page 4



1	(d) Each county council shall submit an annual report to
2	the legislature no later than twenty days prior to the convening
3	of each regular session on the effectiveness and application of
4	limited meeting procedures provided in subsection (b), including
5	any recommendations or proposed legislation."
6	SECTION 3. Statutory material to be repealed is bracketed
7	and stricken. New statutory material is underscored.
8	SECTION 4. This Act shall take effect on June 29, 2016.

APPROVED this 6 day of

And Mage

JUN

,2016

GOVERNOR OF THE STATE OF HAWAII

•