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OFFICE OF THE  
COUNTY COUNCIL

September 1, 2016

MEMO TO: PIA-4(2) File

F R O M: Michael P. Victorino, Chair   
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





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,

DAVID Y. IGE  
Governor, State of Hawai'i

Approved by the Governor

JUN 6 2016

on  
THE SENATE

TWENTY-EIGHTH LEGISLATURE, 2016  
STATE OF HAWAII

**ACT 056**  
**S.B. NO.** 2121  
S.D. 1  
H.D. 1  
C.D. 1

## A BILL FOR AN ACT

RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS.

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

SECTION 1. Act 221, Session Laws of Hawaii 2014, is amended by amending section 4 to read as follows:

"SECTION 4. This Act shall take effect upon its approval ~~provided that on June 30, 2016, section 2 of this Act shall be repealed and section 92-3.1, Hawaii Revised Statutes, shall be reenacted in the form in which it read on the day before the effective date of this Act]~~."

SECTION 2. Section 92-3.1, Hawaii Revised Statutes, is amended to read as follows:

"§92-3.1 Limited meetings. (a) If a board determines that it is necessary to meet at a location that is dangerous to health or safety, or if a board determines that it is necessary to conduct an on-site inspection of a location that is related to the board's business at which public attendance is not practicable, and the director of the office of information practices concurs, the board may hold a limited meeting at that location that shall not be open to the public; provided that at a regular meeting of the board prior to the limited meeting:



(1) The board determines, after sufficient public deliberation, that it is necessary to hold the limited meeting and specifies that the location is dangerous to health or safety or that the on-site inspection is necessary and public attendance is impracticable;

(2) Two-thirds of all members to which the board is entitled vote to adopt the determinations required by paragraph (1); and

(3) Notice of the limited meeting is provided in accordance with section 92-7.

(b) A county council may hold a limited meeting that is open to the public, as the guest of a board or community group holding its own meeting, and the council shall not be required to have a quorum of members in attendance or accept oral testimony; provided that:

(1) Notice of the limited meeting shall be provided in accordance with section 92-7, shall indicate the board or community group whose meeting the council is attending, and shall not be required to include an agenda;



- 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.



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        JUN        , 2016

  
GOVERNOR OF THE STATE OF HAWAII

