
A BILL FOR AN ACT

RELATING TO PUBLIC MEETINGS.

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

1 SECTION 1. Section 92-2.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§92-2.5 Permitted interactions of members.** (a) Two
4 members of a board may discuss between themselves matters
5 relating to official board business to enable them to perform
6 their duties faithfully [~~, as long as~~]; provided that no
7 commitment to vote [~~is~~] shall be made or sought and the two
8 members [~~do~~] shall not constitute a quorum of their board.

9 (b) Two or more members of a board, but less than the
10 number of members [~~which~~] that would constitute a quorum for the
11 made or sought and the two members do not constitute a quorum of
12 their board, may be assigned to:

13 (1) Investigate a matter relating to the official business
14 of [~~their~~] the board; provided that:

15 (A) The scope of the investigation and the scope of
16 each member's authority [~~are~~] shall be defined at
17 a meeting of the board;



1 (B) All resulting findings and recommendations [~~are~~]
2 shall be presented to the board at a meeting of
3 the board; and

4 (C) Deliberation and decisionmaking on the matter
5 investigated, if any, [~~occurs~~] shall occur only
6 at a duly noticed meeting of the board held
7 subsequent to the meeting at which the findings
8 and recommendations of the investigation were
9 presented to the board; or

10 (2) Present, discuss, or negotiate any position [which]
11 that the board has adopted at a meeting of the board;
12 provided that the assignment [~~is~~] shall be made and
13 the scope of each member's authority [~~is~~] shall be
14 defined at a meeting of the board prior to the
15 presentation, discussion or negotiation.

16 (c) Discussions between two or more members of a board,
17 but less than the number of members [~~which~~] that would
18 constitute a quorum for the board, concerning the selection of
19 the board's officers may be conducted in private without
20 limitation or subsequent reporting.

21 (d) Discussions between the governor and one or more
22 members of a board may be conducted in private without



1 limitation or subsequent reporting; provided that the discussion
2 [~~does~~] shall not relate to a matter over which a board is
3 exercising its adjudicatory function.

4 (e) Discussions between two or more members of a board and
5 the head of a department to which the board is administratively
6 assigned may be conducted in private without limitation;
7 provided that the discussion [~~is~~] shall be limited to matters
8 specified in section 26-35.

9 (f) Two or more members of a board, but less than the
10 number of members that would constitute a quorum for the board,
11 may discuss their individual positions relating to official
12 board business at a meeting of another board or a public hearing
13 of the legislature.

14 (g) Two or more members of a board, but less than the
15 number of members that would constitute a quorum for the board,
16 may attend presentations, including seminars, conventions, and
17 community meetings, that involve matters relating to official
18 board business; provided that the presentation shall not be
19 specifically and exclusively organized for, or directed towards,
20 the members of the board.

21 Board members may participate in discussions, including
22 discussions among themselves; provided that the discussions



1 shall occur during and as part of the presentation and no
2 commitment to vote shall be made or sought.

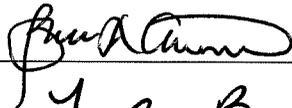
3 [~~f~~] (h) Communications, interactions, discussions,
4 investigations, and presentations described in this section are
5 not meetings for purposes of this part."

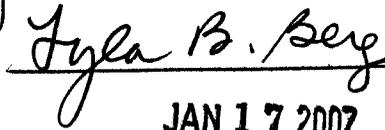
6 SECTION 2. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 3. This Act shall take effect on July 1, 2007.

9

INTRODUCED BY:





JAN 17 2007



Report Title:

Sunshine Law; Public Meetings; Public Officials;

Description:

Allows two or more members of a board, but less than the number of members that would constitute a quorum, to discuss their individual positions relating to official board business at other board meetings, legislative public hearings, and at other events that include matters relating to official board business.

