STAND. COM. REP. NO. 2656

Honolulu, Hawaii

FEB 2 9 2008

RE: S.B. No. 2174

Honorable Colleen Hanabusa President of the Senate Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

## Madam:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 2174 entitled:

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

begs leave to report as follows:

The purpose of this measure is to allow two or more members of a board to diligently perform their duties as board members by discussing official board business, so long as the two or more board members do not make or seek a commitment to vote and they do not constitute a quorum.

Testimony in support of this measure was submitted by the Maui County Council and the Hawai'i Civil Rights Commission. Comments on this measure were submitted by the Office of Information Practices.

Your Committee finds that under existing law, two members of a board may discuss matters relating to official board business, so long as no commitment to vote is made or sought and that the two members do not constitute a quorum. However, if a third board member wants to participate in the discussion, and the discussion continues, these board members would be in violation of the law.

Your Committee also finds that permitting two or more board members to discuss official board business in private without a quorum allows them to have more flexibility toward efficiently completing official board business. Furthermore, your Committee finds that this measure does not change the meaning of the Sunshine Law.

2008-1652 SSCR SMA.doc

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. 2174 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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

BRIAN T. TANIGUCHI, Cha

## The Senate Twenty-Fourth Legislature State of Hawaii

## Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral:		Da	Date: 2 - 26 - 08	
SB 2174	JU	ンレ		1-1	6-08
The committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)				·	
HEE, Clayton (VC)					
GABBARD, Mike		<b>V</b>			
KOKUBUN, Russell S.					V
NISHIHARA, Clarence K.		$V_{\mathcal{J}}$			
SLOM, Sam		<u> </u>			
		***************************************			
				TANKET THE TOTAL CONTRACTOR OF	
TOTAL	STATE OF THE PARTY	H			2
Recommendation:  Adopted Not Adopted					
Chair or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

\*Only one measure per Record of Votes