

STAND. COM. REP. NO. **1078**

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 1513

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1513 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 agency board to report any discussion or final action taken during an executive meeting; provided that such disclosure is not inconsistent with the purpose of convening the executive meeting and gives the board discretion to maintain confidentiality.

Your Committee received testimony in support of this measure from the Office of Information Practices.

Your Committee finds that a state government board is not required to summarize its discussions for the public, report actions taken, or indeed say anything about what happened in its executive session when it reconvenes in the open meeting at which the executive meeting is held. While some boards routinely summarize their executive sessions for the public, many others do not. Your Committee further finds that current law allows government boards to go into a closed executive session for a limited list of purposes, but the minutes of an executive session can only be withheld to the extent necessary to protect the purpose of the executive session and does not require a board to summarize its discussions for the public. Your Committee believes that requiring government boards to report their discussions and



final actions when they reconvene to the public portion of the meeting will promote public access without undermining a board's ability to use executive sessions when authorized to do so. Therefore, this measure requires government boards to report and make available to the public, discussions and final actions taken by the board while preserving the boards ability to maintain confidentiality for as long as disclosure would defeat the purpose of convening the executive meeting.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1513 and recommends that it pass Third Reading.

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



KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 1513	Committee Referral: GVO, JDC	Date: 3/1/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton				✓
TOTAL	4	—	—	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's 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