

STAND. COM. REP. NO. **2991**

Honolulu, Hawaii

MAR 01 2024

RE: S.B. No. 2637
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2637, S.D. 1, 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 the third meeting of a board to deliberate and act on a matter investigated by a group of its members to be held at least six days after the second meeting.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii.

Your Committee received comments on this measure from the Office of Information Practices and Public First Law Center.

Your Committee finds that existing law allows a government board to set up what is commonly called a permitted interaction group (PIG), of less than a quorum of members to work together outside the context of a board meeting to investigate an issue. This provision for an "investigatory" PIG requires three separate board meetings: the first to assign the PIG members and set the scope of their investigation and authority, the second to hear their report without discussion (at which point the PIG is effectively dissolved), and the third for the full board to discuss and perhaps take action on the issue the PIG investigated.



However, on multiple occasions over the years, boards have attempted to circumvent the legislative intent to provide the public and the board with an opportunity to digest the report before any substantive discussions are held, by scheduling the second and third meetings back-to-back. This measure will set a clear standard for how much time must elapse between the meeting where an investigatory PIG reports and the meeting at which the board discusses and acts on the report, to prevent efforts to circumvent the requirements of existing law.

Your Committee has amended this measure by inserting an effective date of April 14, 2112, to encourage further discussion.

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. 2637, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2637, S.D. 2.

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.:*	Committee Referral:	Date:
SB 2637 SD1	GVO, JDC	02/27/24

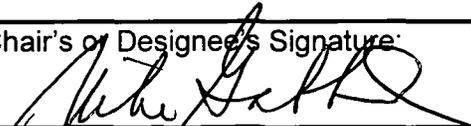
The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 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	5	—	—	—

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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***Only one measure per Record of Votes**