
A BILL FOR AN ACT

RELATING TO GOVERNMENT RECORDS

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 **"Permitted interactions of members.** (a) Two members of a
4 board may discuss between themselves matters relating to
5 official board business to enable them to perform their duties
6 faithfully, as long as no commitment to vote is made or sought
7 and the two members do not constitute a quorum of their board.

8 (b) Two or more members of a board, but less than the number of
9 members which would constitute a quorum for the board, may be
10 assigned to:

11 (1) Investigate a matter relating to the official business
12 of their board; provided that:

13 (A) The scope of the investigation and the scope of
14 each member's authority are defined at a meeting of the
15 board;

16 (B) All resulting findings and recommendations are
17 presented to the board at a meeting of the board; and

18 (C) Deliberation and decisionmaking on the matter
19 investigated, if any, occurs only at a duly noticed meeting
20 of the board held subsequent to the meeting at which the
21 findings and recommendations of the investigation were
22 presented to the board; or

23 (2) Present, discuss, or negotiate any position which the
24 board has adopted at a meeting of the board; provided that the
25 assignment is made and the scope of each member's authority is
26 defined at a meeting of the board prior to the presentation,
27 discussion, or negotiation.

1 (c) Discussions between two or more members of a board, but less
2 than the number of members which would constitute a quorum for
3 the board, concerning the selection of the board's officers may
4 be conducted in private without limitation or subsequent
5 reporting.

6 (d) Board members present at a meeting that must be canceled for
7 lack of quorum or terminated pursuant to section 92-3.5(c) may
8 nonetheless receive testimony and presentations on items on the
9 agenda and question the testifiers or presenters; provided that:

10 (1) Deliberation or decisionmaking on any item, for which
11 testimony or presentations are received, occurs only at a duly
12 noticed meeting of the board held subsequent to the meeting at
13 which the testimony and presentations were received;

14 (2) The members present shall create a record of the oral
15 testimony or presentations in the same manner as would be
16 required by section 92-9 for testimony or presentations heard
17 during a meeting of the board; and

18 (3) Before its deliberation or decisionmaking at a
19 subsequent meeting, the board shall:

20 (A) Provide copies of the testimony and presentations
21 received at the canceled meeting to all members of the
22 board; and

23 (B) Receive a report by the members who were present
24 at the canceled or terminated meeting about the testimony
25 and presentations received.

26 (e) Two or more members of a board, but less than the number of
27 members which would constitute a quorum for the board, may
28 attend an informational meeting or presentation on matters
29 relating to official board business, including a meeting of
30 another entity, legislative hearing, convention, seminar, or
31 community meeting; provided that the meeting or presentation is
32 not specifically and exclusively organized for or directed
33 toward members of the board. The board members in attendance may
34 participate in discussions, including discussions among
35 themselves; provided that the discussions occur during and as
36 part of the informational meeting or presentation; and provided
37 further that no commitment relating to a vote on the matter is
38 made or sought.

____.B. NO. _____

1 At the next duly noticed meeting of the board, the board members
2 shall report their attendance and the matters presented and
3 discussed that related to official board business at the
4 informational meeting or presentation.

5 (f) Discussions between the governor and one or more members of
6 a board may be conducted in private without limitation or
7 subsequent reporting; provided that the discussion does not
8 relate to a matter over which a board is exercising its
9 adjudicatory function.

10 (g) Discussions between two or more members of a board and the
11 head of a department to which the board is administratively
12 assigned may be conducted in private without limitation;
13 provided that the discussion is limited to matters specified in
14 section 26-35.

15 (h) A member of a board may provide, by memorandum or other
16 means of transmittal, other members of the board any government
17 record for which disclosure is required by section 92F-12;
18 provided that no commitment relating to a vote on the matter is
19 made or sought by the board member in the means of transmittal.

20 (i) Communications, interactions, discussions, investigations,
21 and presentations described in this section are not meetings for
22 purposes of this part."

23 SECTION 2. New statutory material is underscored.

24 SECTION 3. This Act shall take effect upon its approval.

25

26 INTRODUCED BY: _____

27

28

29

EAR-39

Council Chair
Gladys C. Baisa



Director of Council Services
David M. Raatz, Jr., Esq.

Vice-Chair
Robert Carroll

Presiding Officer Pro Tempore
Michael P. Victorino

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/council

Council Members
Elle Cochran
Donald G. Couch, Jr.
Stacy Crivello
Don S. Guzman
G. Riki Hokama
Mike White

March 17, 2014

RECEIVED
2014 MAR 17 PM 3:56
OFFICE OF THE
COUNTY CLERK

Danny A. Mateo, County Clerk
County of Maui
Wailuku, Hawaii 96793

Dear Mr. Mateo:

SUBJECT: OPEN DATA POLICY FOR THE COUNTY OF MAUI (PAF 13-192)

May I request the matter relating to an open data policy for the County of Maui be placed on the next Council meeting agenda.

Sincerely,

GLADYS C. BAISA
Council Chair

pa:dmr:13-192a

COUNTY COMMUNICATION NO. 14-78

Council Chair
Gladys C. Baisa

Vice-Chair
Robert Carroll

Presiding Officer Pro Tempore
Michael P. Victorino

Council Members
Elle Cochran
Donald G. Couch, Jr.
Stacy Crivello
Don S. Guzman
G. Riki Hokama
Mike White



COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/council

October 30, 2014

Director of Council Services
David M. Raatz, Jr., Esq.

RECEIVED
2014 OCT 30 AM 10:41
OFFICE OF THE
COUNTY CLERK

The Honorable Gladys C. Baisa
Council Chair
County of Maui
Wailuku, Hawaii 96793

Dear Chair Baisa:

SUBJECT: WAIKAMOI FLUME RENOVATIONS (PAF 14-264)

May I request the matter relating to Waikamoi Flume renovations be placed on the next Council meeting agenda.

Sincerely,

Handwritten signature of Michael P. Victorino in black ink.

MICHAEL P. VICTORINO
Council Member

paf:kcv14-264a

COUNTY COMMUNICATION NO. 14280