

State 'Sunshine Law' Is in Effect Today

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With the exception of adjudicatory governmental boards or commissions, all meetings of public agencies must be kept open under Hawaii's new "sunshine law," which took effect today.

Besides the Judiciary and the State Legislature, exempt from the provisions of Hawaii's "sunshine law" are the Hawaii Public Employment Relations Board, the Labor and Industrial Relations Appeals Board, the Board of Pardons and Paroles, the Civil Service Commission, the Employees' Retirement System Board of Trustees and the Criminal Injuries Compensation Commission.

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All other meetings of any State or County agency, board or commission, including the newly constituted Land Use Commission, must be open to the public.

THE NEW "sunshine law" does, however, allow

executive closed-door sessions upon a two-thirds vote of the members present to:

—Consider the hiring, evaluation or dismissal of an employe, unless the person requests an open meeting.

—Conduct labor negotiations or negotiate the acquisition of public property.

—Consult with the board's attorney.

—Investigate proceedings regarding criminal misconduct.

—Consider "sensitive matters related to public safety or security."

ALL STATE and County boards are now required to give 72 hours advance written notice of meetings, including such information as agenda, date, place and time of the meeting.

These notices must be filed three days in advance of the meeting with either the Lieutenant Governor's Office or the appropriate county clerk's office.

Changes to the agenda can only be made by a two-thirds vote of all the board's members.

The new law also requires an agency or board to maintain a list of persons interested in these meetings and to mail them a copy of the meeting notice.

BOARDS AND commissions are also required to keep written minutes of all meetings and have them available for public inspection 30 days after the meeting.

Enforcement of the "sunshine law" will be up to the attorney general or the appropriate county prosecuting office.

Another provision of the "sunshine law" requires all government agencies to make available all public records for inspection by anyone as long as it is not in violation of any other State or federal law.

UPON REQUEST and for a nominal fee a certified copy of any public record may also be obtained under the provisions of the new law.