

CHAPTER 92
PUBLIC AGENCY MEETINGS AND RECORDS

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The Lum Court, Land Use, and the Environment: A Survey of Hawai'i Case Law 1983 to 1991. 14 UH L. Rev. 119.

Case Notes

Rule regarding confidentiality of development proposals neither conflicted with nor contradicted "mandate" of either §92-3 or the Sunshine Law (this chapter) as a whole; plaintiff not entitled to disclosure of development proposals under those statutory provisions. 74 H. 365, 846 P.2d 882.

As this chapter governs board meetings and board meeting minutes, including those of executive sessions, and this section, by its plain language, permits "any person," including the county, to bring suit in circuit court "to determine the applicability of part I of this chapter to the discussions or decisions" of the council, the circuit court did not err in determining it had jurisdiction pursuant to this chapter to determine whether county council's executive session minutes had to be disclosed. 120 H. 34 (App.), 200 P.3d 403.

In a suit deciding whether disclosure of county council executive session minutes was required, circuit court properly found that both chapter 92F and this chapter applied; if the meeting met an exception to the open meeting requirements put forth in this chapter, such as an exception enumerated in §92-5, the council was not required to disclose the minutes of that meeting to the public; if the meeting did not fall under such an exception, the council was required to disclose the minutes pursuant to §92-9 and §92F-12. 120 H. 34 (App.), 200 P.3d 403.

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