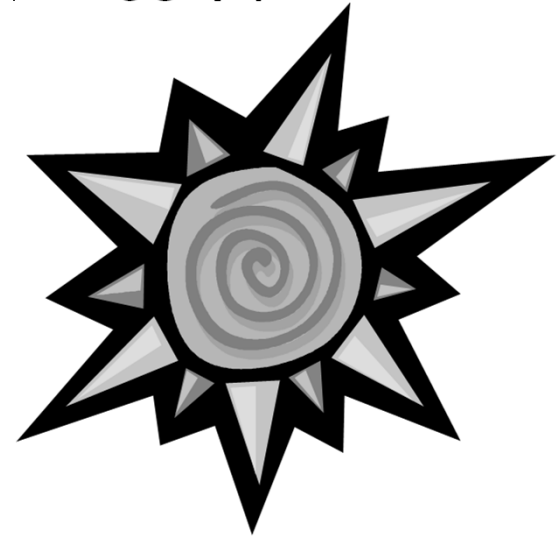


# **The Sunshine Law**

## **Part 2**

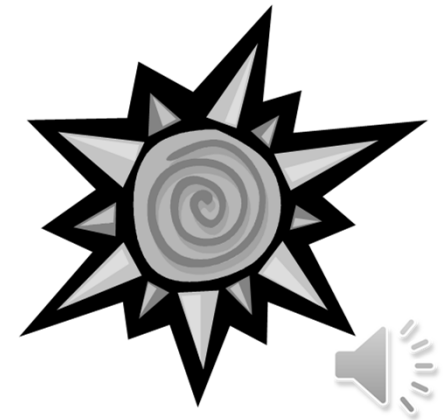


Hawaii's Open Meetings Law  
Part I of Chapter 92, HRS



# Sunshine Law requires:

- Discussions, deliberations and decisions must be conducted at a meeting
- Every meeting must be open unless executive meeting is allowed
- Boards must accept testimony
- Boards must provide notice
- Boards must keep minutes



# Minutes

- Written or recorded format
- Posted online within 40 calendar days
- Executive meeting minutes may be withheld for so long as publication would defeat lawful purpose of meeting

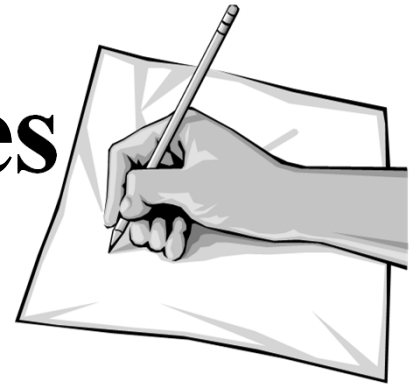


# Recorded Minutes

- Recorded minutes must include:
  - Recording of full meeting
  - Date, time and place
  - Members present/absent
  - Record, by member, of votes and motions
  - Time stamp or other reference for when board began each agenda item and when motions and votes happened



# Written Minutes



- Written minutes must include:
  - Date, time and place
  - Members present/absent
  - Substance of all matters proposed, discussed or decided
  - True reflection of matters discussed and views of participants
  - Record, by member, of votes
  - Other information that a member requests be included



# Remote Meetings



- Platform allows audio-visual interaction between members and public
- Members and public access from anywhere via internet or phone
- Must offer at least one physical public meeting location
- Record meeting ‘when practicable’



# Remote Meetings: Notice



- Notice gives link to join remote meeting
- Notice also gives link and/or number to testify, if separate
- Notice lists physical location
- Notice may list “additional locations” – not guaranteed to stay connected



# Remote Meetings: Quorum



- Quorum of members generally must be visible
- Announce who's there
- Roll call votes unless unanimous
- In executive meeting, audible-only ok, but confirm no unauthorized person connected





# Remote Meetings: Dropped Connection



- Dropped connection: recess to restore
- Applies to
  - Hosting platform
  - Public broadcast (if separate)
  - Quorum of members visible
  - Public physical site
  - NOT additional sites (if notice says so)



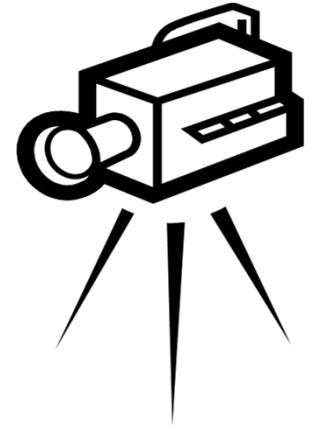
# Remote Meetings: Restore Connection



- 30 minute time limit to restore
- If cannot restore audio-video, can continue audio-only with conditions
- Notify public how to rejoin or how meeting will be continued
- If no restoration after 30 minutes, terminate



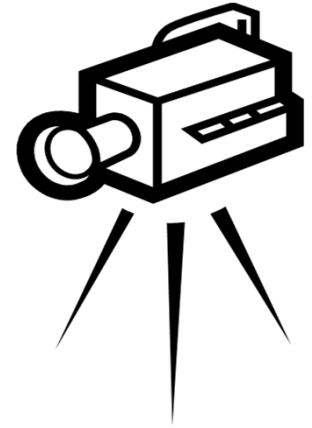
# Multi-site Meetings



- Audio interaction at all locations
- Notice lists all locations where non-disabled board members will be
- Can also list “additional” locations - no board members, could lose connection
- Public can attend at any listed location



# Multi-site Meetings: Restore Connection



- Meeting recessed to restore connection if audio interaction not maintained at all official locations
- As with remote meetings, 30 minute time limit to restore
- If no restoration, terminate (or continue at another time if notice given)



# Limited Meetings

- Dangerous location OR public attendance impracticable
- OIP concurrence
- 2/3 Vote
- Show video next time
- No decisions made
- Other type:
  - ‘guest meeting’



# Emergency Meetings

- imminent peril to public health, safety and welfare, or
- unanticipated event
- requires meeting in less than 6 calendar days



# A Meeting in the Life of the Shrimp Board



# Meet the Shrimp Board

- œ Giovanni Brine, Chair
- œ Goby Maguire
- œ Tiger Shrimp
- œ Prawn Travolta
- œ S. Scampi





# 20 days out

👍 **Annual shrimp parade: not  
board business**



# 13-14 days out: E-mail

- 👉 **Request to include something on agenda**
- 👉 **E-mail attaching factual material about an item**
- 💡 **Communication about merits of an agenda item**



# 10 days out: Teleconference meeting?


- 】 **Can S. Scampi attend by phone?**
- 📞 **What kind of equipment is needed?**



# 8 days out: Agenda

STATE BOARD OF SHRIMP AFFAIRS

AGENDA FOR SEVENTH MEETING  
FRIDAY, JUNE 31, 2019  
4:30 P.M.  
LARGE FISHTANK, TAMASHIRO MARKET



Prairie Vista  
Pier 58 Makai Side  
Honolulu, Hawaii 96813

Chair: Giovanni Brice  
Members:  
Gaby Maguire  
Tiger Shrimp  
Praveen Tervola  
S. Scampl

Phone: 808-588-6888  
Fax: 808-588-6889  
E-mail: [shrimp@hawaii.gov](mailto:shrimp@hawaii.gov)  
Web: [www.shrimp.hawaii.gov](http://www.shrimp.hawaii.gov)

1. Call to Order, Public Notice, Quorum
2. Approval of Meeting Minutes
3. Shrimp Administrator's Report
4. Approval of Aquaculture License Applications, if any
5. Amendment to Rules of the State Board of Shrimp Affairs
6. Proposed Legislation
7. Executive Session:
  - Shrimp Administrator- Strategic Planning
8. Executive Session: Pursuant to Haw. Rev. Stat. § 92-4 and 92-5(a)(4), the purpose of this executive session is to request approval to retain special counsel to represent the Board in Heinz Cocktail Sauce v. State Board of Shrimp Affairs.
9. Executive session: Pursuant to Haw. Rev. Stat. §§ 92-4 and 92-5(a)(4), the purpose of this executive session is discussion/recommendation for Board action on revocation of coconut-crusted shrimp pupu license for Pilau Bar & Grille.
10. Executive session: Pursuant to Haw. Rev. Stat. §§ 92-4 and 92-5(a)(2), the purpose of this executive session is to consider the hire, evaluation, dismissal, or discipline or an officer or employee where consideration of matters affecting privacy will be involved.
11. Gifts, Grants, and Contracts
12. Correspondence
13. Unfinished Business
14. Scope
15. Report
16. New Business
17. Announcements
18. Open Forum
19. Adjournment



# 7 days out: Agenda ok?


**Problems discovered!**



# 6 days out: New Agenda

STATE BOARD OF SHRIMP AFFAIRS

AGENDA FOR SEVENTH MEETING  
FRIDAY, JUNE 31, 2019  
4:30 P.M.  
LARGE FISHTANK, TAMASHIRO MARKET



Pravin Vata  
Per 18 Maki Side  
Honolulu, Hawaii 96813

Chair: Giovanni Brine  
Members:  
Gale Mague  
Tiger Shrimp  
Pravin Travada  
S. Scump

Phone: 808-588-8888  
Fax: 808-588-8889  
E-mail: [shrimp@hawaii.gov](mailto:shrimp@hawaii.gov)  
Web: [www.shrimp.hawaii.gov](http://www.shrimp.hawaii.gov)

1. Call to Order, Public Notice, Quorum
2. Approval of Meeting Minutes of April 1, 2019
3. Shrimp Administrator's Report:
  - Illegal prawn fighting
  - Staff recruitment efforts
  - Projected shrimp economic activity in 2029
  - Strategic Planning for 2029
4. Aquaculture License Applications:
  - Prawn with the Wind Shrimp Pond, South Point
  - 'Opae in the Sky Hydroponic Farm, Maunaloa
  - Shrimp My Ride Mobile Aquafarm, Kahuku to Honolulu
5. Amendment to Rules of the State Board of Shrimp Affairs:
  - Hawaii Fake Administrative Rule (HFAR) 12: Shrimp Size Designations—to prohibit use of the term "jumbo"
  - HFAR 17: "Salt-and-Pepper Shrimp"—to allow restaurants to use low sodium salt in preparation
6. Proposed Legislation:
  - House Bill 3015, Relating to Crustaceans: Appropriates funding for treatment programs for incarcerated crabs, lobsters, and shrimp
  - Senate Bill 4129, Relating to Education: Requires public schools to teach zoology with a focus on shrimp
7. Approval to retain special counsel to represent the Board in Heinz Cocktail Sauce v. State Board of Shrimp Affairs.
8. Revocation of coconut-crusted shrimp pupu license for Pilau Bar & Grille.

9. Hiring of Secretary/Fry Cook II position. The board anticipates convening an executive meeting to interview candidates for the position pursuant to Haw. Rev. Stat. §§ 92-4 and 92-5(a)(2).
10. Gifts, Grants, and Contracts:
  - Grant to tour and compare shrimp trucks of Oahu
  - Grant to film documentary, "The Natural Life of Shrimp"
  - Contract with Crustacean Consultants to study feasibility of aquatourism industry on Kauai
  - Contract with Columbia Studios for Hawaii shrimp placement in "From Here to Eternity" remake
  - Bequest of \$25,000 from estate of Crevette Etouffee.
11. Correspondence from Kahoolawe County Council: Seeking Board's comments on a proposed shrimp-themed resort hotel
12. Proposals to increase population of aquarium shrimp
13. Proposals to deal with giant mantis shrimp in the Ala Wai Canal
14. Report by designated investigators:
  - New slurp gun
  - Crustaceans Galore Wholesalers: financial position
15. Announcements:
  - New board website
  - Winner of student Shrimp Bee
  - Next meeting date and time
16. Open Forum: Public comment on issues not on the agenda, for consideration for Board's agenda at the next meeting
17. Adjournment

*If you require an auxiliary aid or accommodation due to a disability, please contact (808) 588-8888 (voice/tty) or email Giovanni Brine at [shrimp@hawaii.gov](mailto:shrimp@hawaii.gov) by June 29, 2019.*



# 5 days out: News stories

- ✋ **E-mail attaching factual material about an item**
- 🗣️ **Editorials, position statements, and other communication about merits of an agenda item**



# 4 days out

**Can Chair Brine file an amended  
agenda to add an item?**





# 3 days out: Investigation

**2 members carry out an investigation set up at the last meeting**



# 2 days out

**2 members discuss an issue  
that's on the agenda for the  
meeting: OK?**



# 1 day out: Testimony

 **Anonymous testimony**

 **Sign-up sheets**

 **Timing of testimony**



## At the meeting: Items raised in Open Forum

**For items not on the agenda, the  
choice is:**

**Do not discuss the substance,  
or**

**Add it to the agenda upon 2/3  
vote of all board members, if  
not of major importance or  
affecting a significant number  
of people**




# After the meeting: Retreat


**Team-building, dining together,  
finding common ground on  
divisive issues:**

**Is it a meeting?**

**Must it be public?**





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**ALOHA!**

Welcome to the website of the Office of Information Practices (OIP), whose mission is *"ensuring open government while protecting individual privacy."*

OIP administers two laws to promote open and transparent government in Hawai'i:

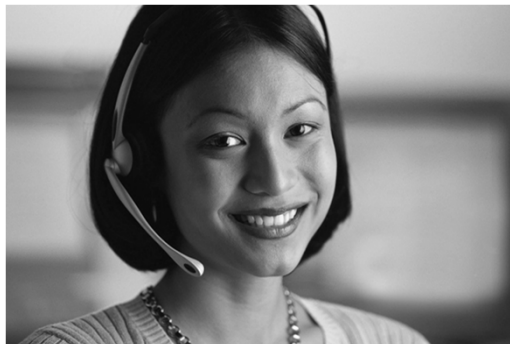
1. the **Uniform Information Practices Act (UIPA)**, HRS Chapter 92F, which requires open access to government records, and
2. the **Sunshine Law**, part I of HRS Chapter 92, which requires open public meetings.

Both laws are intended to open up governmental processes to public scrutiny and participation by requiring government business to be conducted as transparently as possible, while balancing personal privacy rights guaranteed under the Hawaii State Constitution.

*OIP provides uniform interpretation, advice, and training on these laws to nearly all of Hawaii's state and county agencies and boards.*

# Need Help?

- AOD -- 586-1400



- E-mail: [oip@hawaii.gov](mailto:oip@hawaii.gov)

- OIP Website: [oip.hawaii.gov](http://oip.hawaii.gov)

