

**INDEX OF
“The Sunshine Law”
OIP OPINION LETTERS
(NOS. 90-35 THROUGH F25-07)**

Op. Ltr. No.

A

ADJUDICATORY FUNCTIONS:

Sunshine Law Exception for.....01-06, 03-07, 04-14, 05-07, F18-01, F25-01

ADMINISTRATIVE RULES:

Notice for Amendments to F25-04

Open Meetings..... 02-02

B

BOARD BUSINESS:

Administrative Matters 04-01, F19-03

Generally 01-01, 04-01, 04-04, F19-03, F23-01

BOARD MEMBERS:

Chance Meetings of..... 01-01

Constitutional Rights of 01-01

Individual Liability F23-01

Non-Board Members F16-01

Polling of..... F15-02

Quorum of: **See QUORUM**

Who are.....01-01, 02-11

BOARD PACKETS:

Deadlines for..... F25-04

Generally F23-01

Testimony as Part of F25-04

C

CIRCUMVENTION OF STATUTE:

By Delegation of Powers 08-02

COMMITTEES.....03-07, 03-08

Attendance by Non-Members 08-01

COMMUNICATION:

By Email04-01, F19-03, F20-05

COMPLAINT:

Referral to Executive Secretary F20-05

CONSTITUTIONALITY OF RESTRICTION ON SPEECH:

Board Members 01-01

Government Employees..... 04-10

Public 02-02, 04-10, 05-02

Contested Cases: *See* **ADJUDICATORY FUNCTIONS**

COURT ORDERS:

Consent Decree..... F16-01

D**DEFINITIONS:**

Board..... 01-01, 03-01, 04-19, 05-01
 Appointments to 01-01
 Board Business F23-01, F24-03
 Board Packet..... F24-03, F25-04
 Chance Meeting..... 01-01
 Charter Schools 03-01
 Connection to Government 01-01
 Consider 07-06
 Created by Resolution..... 08-02
 Created by State Law 04-19
 Delegated Powers of a Board..... 08-02
 Discussion F20-05
 Jurisdiction..... 01-01
 Minutes F14-02
 Official Business: *See* **BOARD BUSINESS**
 Privacy 06-07, F20-01
 Quorum 01-01
 Receipt of Government Funds or Services..... 01-01
 Serial Communications..... F23-01

DEPARTMENTS AND AGENCIES:**COUNTY AGENCIES**

City and County of Honolulu

City Council..... 02-02, 02-11, 08-02, F20-03
 Landfill Selection Committee 04-01
 Mayor's Office 05-01
 Neighborhood Boards 01-01, F25-02
 Police Commission 03-07, F25-01

County of Hawaii

County Clerk..... 06-06
 County Council 05-02, 06-05, 07-02

County of Kauai

County Council 02-11
 Department of Planning
 Planning Commission 03-08

County of Maui

County Council 02-09, 02-11, 08-01, F16-01, F20-01, F24-02
 Department of Planning
 Planning Commission 07-10, F25-04
 Maui Metropolitan Planning Organization Board..... F24-02
 Salary Commission..... 07-06

STATE EXECUTIVE AGENCIES

Agriculture, Department of (DOA)

Board of Agriculture	03-06
Agribusiness Development Corporation	F16-05
Budget & Finance, Department of (B&F)	
Employees' Retirement System (ERS)	92-27
Business, Economic Development & Tourism, Department of (DBEDT)	
Agribusiness Development Corporation	F16-05, F24-03
Hawaii Community Development Authority	06-01
Hawaii Tourism Authority	F19-03
Land Use Commission	03-13
Education, Department of (DOE)	
Board of Education	06-07
Charter School Boards	03-01, 05-09
Health, Department of (DOH)	
Adult Mental Health Division	F23-01
State Council on Mental Health	F23-01
Land & Natural Resources, Department of (DLNR)	
Board of Land and Natural Resources	F14-02
Commission on Water Resource Management	F18-01
Natural Energy Laboratory of Hawaii	06-02
State Historic Preservation Division	03-22
Office of Hawaiian Affairs (OHA)	F15-02
STATE JUDICIARY	
Oversight Committee for the First Circuit Family Court	03-20

E**EXECUTIVE SESSION SUMMARY:**

After Loss Quorum	F24-03
Generally	F24-03

I**INFORMATIONAL MEETING:**

When No Quorum	F23-01
----------------------	--------

INTERACTIVE CONFERENCE TECHNOLOGY (ICT):

Disabled Member	F23-01
Loss of Audio	F23-01
Loss of Connection	F23-01
Noticed Location	F23-01, F24-03

L**LEGISLATIVE HISTORY - CHAPTER 92, HAWAII REVISED STATUTES:**

Adjudicatory Functions	F18-01
Executive Meeting	03-07, 06-05
Informational Meetings	F16-01
Permitted Interaction	02-11, F24-02

LIMITED MEETINGS:

"Guest" Limited Meetings	F16-01
Public Attendance Impracticable	F18-01

M**MEETINGS:**Actions: *See* **DELIBERATION AND DECISION MAKING**Agendas: *See* **NOTICE AND AGENDA**

Audiotape Recordings of02-06, 03-22

Cancellation of..... 05-07, F25-04

Delay in Commencement of..... 05-11

Deliberation and Decision Making

Discussions Outside a Meeting

Generally04-01, 05-15, 16-01, F24-02

By E-mail04-01, F19-03, F20-05

See also **PERMITTED INTERACTIONS**

Generally01-01, 01-06, 02-09, 04-04, 05-04

Items Cancelled from Agenda 05-07

Items Not on Agenda05-02, F20-03, F25-01

Executive Meetings

Amendment of Agenda to Add Executive Session Item 06-05

Announcement of Purpose 03-22, 04-14, F25-01

Attendance at 03-12, F19-03, F20-01, F24-03

Attorney Consultation 03-12, 03-17, 03-22, 06-05, 06-07, F19-03, F20-01

Cancellation if Statutory Purpose Does Not Apply 03-22

Confidentiality Required by State or Federal Law04-14, 05-04

Convening, When Proper F20-01, F24-03

Closing Building During 05-11

Disclosure of Vote 06-07, F24-03

Generic Agenda Entries 03-22, 06-05, F25-01

Officer or Employee, Hire, Evaluation, Dismissal05-04, 06-07, F20-01, F24-03, F24-04

Permitted by Other Law F19-03

Provisions Allowing Closed Meeting Strictly Construed 06-05, F25-01

Purpose Specified by Statute Only03-22, 04-14

Shielding Identity of Participants 05-11

Voting in 03-07, F24-03

Location of 05-11, F16-05

Multiple Boards, of..... 01-01, F24-02

Minutes of: *See* **MINUTES**Notice: *See* **NOTICE AND AGENDA**

Transcripts of02-06, 03-22

MINUTES:

Approval of.....02-06, 03-13

Executive Meeting, of.....03-22, 06-07, F20-01, F24-03, F25-01

Generally 92-13, 92-27, 02-06, 03-07, 03-12, 03-13,

03-15, 03-20, 03-22, 04-01, 06-07, F25-01

Recorded Minutes F25-07

Record of Motions and Votes Made F25-07

Time Stamps of Motions and Votes F25-07

Written Summary of Recorded Minutes F25-07

Reflections of Non-Member Views 03-13, F14-02

Required Contents 03-13, F14-02, F23-01, F25-01, F25-07

Testimony Not Required to be Reflected F14-02

Transcripts 02-06, 03-22, F25-07

N**NOTICE AND AGENDA:**

Addendum to Agenda.....	F20-03
Administrative Matters	05-02, 07-02
Amendments to Agenda.....	01-06, 06-05, 07-02, 07-10, F20-03
Bills and Resolutions	02-09, F20-03, F25-01
Cancellation of Agenda Items	03-22, 05-07
Description of Meeting Location	F16-05, F24-03
Documents Referenced in Agenda	03-08
Generic Entries	06-05, 07-02, F25-01
Matters not on Agenda, Discussion of	05-02, F20-01, F20-03, F25-01
Notice by Electronic Mail (Email)	F25-02
Notice of Action on Agenda Item.....	07-06, F16-01
Notice of Executive Meeting.....	03-22, 06-05, F24-03, F25-01
Reports	F16-01
Sufficiency of Agenda.....	01-06, 02-09, 03-22, 05-11, 06-05, 07-02, 07-06, F16-01, F20-01, F25-01
Testimony not Required.....	07-03
Time to File.....	06-06, 16-02, F25-02
When Required.....	01-01, 01-06, 02-09, 03-08, 06-05, 07-02, 16-02, F25-02

P**PERMITTED INTERACTIONS:**

Generally	01-01, 02-11, 04-01, 05-15, 06-02, F18-01, F23-01
Informational Meetings	F16-01
Interaction Permitted by Statute.....	F24-04
Investigative Task Force	06-02, 08-02
Investigative PIG	F23-01
Lack of Quorum.....	F24-03
Loss of Member	F23-01
Negotiating PIG	F23-01
Officer Selection	02-11
Serial Communications.....	04-01, 05-15, F19-03, 01-01, 02-11, 04-01, 05-15, 06-02, F18-01
Two Person	F19-03

Q

QUORUM	01-01, 02-11, F23-01, F24-03
---------------------	------------------------------

R

REMEDIES RAMIFICATION	F24-03
REPORTS	F16-01
ROBERT'S RULES OF ORDER	03-13, 07-02

S**SERIAL COMMUNICATIONS:**

Generally F23-01

SPIRIT COMMUNICATIONS:

Generally F23-01

STATUTORY CONSTRUCTION:

Absurd Result..... 07-06

Conflict Between Requirements of Sunshine Law and another Statute..... 01-06, 05-04, 05-09

"Consider" 07-06

Consistent with Purpose, Other Provisions 06-05, 07-06

Exceptions Narrowly Construed 03-12, 06-02, 06-05, F18-01, F23-01, F25-01

Executive Meeting..... 06-05

Legislative History: *See* **LEGISLATIVE HISTORY**

Minutes, Sufficiency of..... F14-02

Open Meetings Provisions Liberally Construed 01-01

Other Laws, Interaction with..... 01-06, 05-07, 06-07, F18-01

Title of Statute Inconsistent with Text..... F18-01

T**TESTIMONY:**

Anonymous Testimony..... 04-09

Cancelled or Postponed Agenda Items 07-03, F25-04

Copies..... 04-09

Designation As 03-06, F25-04

Disclosure Under the UIPA..... 04-09

Email & Facsimile..... 03-06

Executive Session Items F15-02

Form Of..... 03-06

Generally 01-06, 03-22, F25-01, F25-04

Identity of Testifier 04-09

Limitations On 02-02, 06-01, 07-10, F25-01

Minutes, Participants' Views Reflected In 03-13, F14-02

Previous Opportunity, Effect of..... 01-06

Right to Testify..... 03-22, 04-09, 05-07, 06-01, 07-10

Government Employee 04-10

Items Not on Agenda..... 05-02, F25-01

Question to or from Board..... 06-01, 07-10

Sign Up 02-02

Time Limits 02-02, 06-01

Timing of..... 06-01

V**VIOLATION, LEGAL EFFECT OF**..... 01-06, 07-02, F18-01**VOTE** 01-06, 07-02, F18-01

Secret Ballot F24-03