

Tim Bynum

From: Jennifer.Z.Brooks@hawaii.gov
Sent: Friday, May 15, 2009 4:01 PM
To: Tim Bynum
Subject: Re: addition to agenda for rules clarification

I've reviewed the materials you provided me. I am responding as Attorney of the Day, which means that I'm offering advice rather than a formal legal opinion of this office. Section 92-7(d) of the Sunshine Law allows a board to add an issue to its agenda on a vote of 2/3 of all members to which the board is entitled, so long as the issue is not of reasonably major importance and action on it would not affect a significant number of people. The proposed change to Council Rule 10(c) set forth in the attached Resolution does not appear to be of reasonably major importance or to affect a significant number of people. Thus, the Resolution appears suitable to be added to the agenda by 2/3 vote, and the Council would be acting in good faith in so adding it.

Please don't hesitate to contact me if you have further questions.

Aloha,
Jennifer Brooks

Jennifer Z. Brooks
Staff Attorney
Office of Information Practices

"Tim Bynum" <tbynum@kauai.gov>

To <jennifer.z.brooks@hawaii.gov>

cc

05/15/2009 03:46 PM

Subject addition to agenda for rules clarification

Aloha Ms. Brooks,

As a follow up to our conversation this afternoon attached is a proposed rules clarification. Would a motion to add this issue to the agenda be allowed under the provisions of HRS 92-7 (d)? Thank you for your attention to this question. Also attached are the Council rules. Please note Resolution Section 2 (a) and Rules 10 (a) and (c).

Sincerely,

Tim Bynum
Councilmember

Kauai County Council
4396 Rice Street #206
Lihue, Hawaii 96766
808 241-6366
cell: 652-4575
tbynum@kauai.gov

[attachment "rules 2009.pdf" deleted by Jennifer Z Brooks/LtGov/StateHiUS] [attachment "tb amend rules.pdf" deleted by Jennifer Z Brooks/LtGov/StateHiUS]