



## BOARD OF ETHICS

101 Aupuni Street, Suite 325, Hilo, Hawai'i 96720

June 1, 2005

Mr. Reeve N. (Bob) Williams  
P.O. Box 827  
Pepeekeo, HI 96783

Mr. Kerry Inouye  
339 Uilama Place  
Hilo, HI 96720

Mr. Karl Kawahara  
36 Melani Street  
Hilo, HI 96720

Mr. Wayne Joseph  
HCR 1, Box 5445  
Keaau, HI 96749

**Re: Verbatim Minutes Not Required**

Dear Mr. Williams, Mr. Kawahara, Mr. Inouye, and Mr. Joseph:

I understand that at the last meeting of the Board of Ethics, a question was raised as to whether a verbatim transcript of the Board proceedings was required. The answer is that it is not required. The reason that a verbatim transcript has been produced for the Board meetings is at the request of the Board.

Section 92-9(a) of the Hawai'i Revised Statutes provides as follows:

Minutes. (a) The board shall keep written minutes of all meetings. Unless otherwise required by law, neither a full transcript nor a recording of the meeting is required, but the written minutes shall give a true reflection of the matters discussed at the meeting and the views of the participants. The minutes shall include, but need not be limited to:

- (1) The date, time and place of the meeting;
- (2) The members of the board recorded as either present or absent;
- (3) The substance of all matters proposed, discussed, or decided; and a record, by individual member, of any votes taken; and
- (4) Any other information that any member of the board requests be included or reflected in the minutes.

I believe that Board members preferred to have verbatim transcripts for hearings which continued beyond one meeting, and members needed to review what had occurred previously. Perhaps a member may not be present for each day that the Board heard the matter before it. Also, the transcript was helpful in reviewing the advisory opinion which is adopted at the meeting after the hearing.

If you have any further questions, please feel free to contact me.

Sincerely,

Patricia K. O'Toole  
Deputy Corporation Counsel

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