



THE JUDICIARY, STATE OF HAWAII

Testimony to the House Committee on Finance

The Honorable Marcus Oshiro, Chair
The Honorable Marilyn B. Lee Vice Chair
Thursday, February 21, 2008, 3:00 p.m.
State Capitol, Conference Room 308

by
Matt Mattice
Executive Director

Bill No. and Title: House Bill No. 2696, H.D. 1, Relating to Board of the Judiciary History Center.

Purpose: Reduces the number of candidates nominated by the Friends of the Judiciary History Center to the Center's executive board.

Judiciary's Position:

The Judiciary supports House Bill No. 2696, H.D. 1. This is a Judiciary package bill intended to facilitate the appointment of members to the board of the King Kamehameha V Judiciary History Center. This bill clarifies the process of filling vacancies on the executive board, and reduces the number of nominees submitted by the Friends of the Judiciary History Center to the chief justice from seven to three. The Center's existing legislation omits a process to fill vacancies resulting when an executive board member's term expires, or she or he resigns.

The King Kamehameha V Judiciary History Center (Center), formerly known as the Judiciary History Center, was established by the Hawai'i State Legislature in 1990 through Act 211 and HRS §6F-5. The Center is governed by an executive board consisting of five members appointed by the chief justice. The terms of the executive board members are staggered so that not more than two terms expire in a given year.

Under the current statutory scheme, the chief justice selects three of the five members from a list of seven candidates nominated by the Friends of the Judiciary History Center (hereinafter, "the three Friends' positions"). The current statute has been interpreted to require that whenever any of the three Friends positions become vacant, the Friends must submit a list of



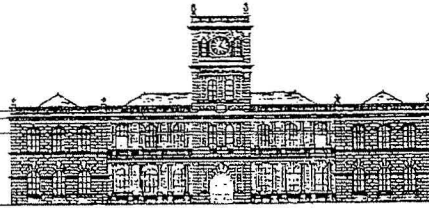
House Bill No. 2696, H.D. 1, Relating to the Board of the Judiciary
History Center
House Committee on Finance
Thursday, February 21, 2008
Page 2

seven candidates for each vacancy. Unfortunately it has proven difficult to identify seven individuals willing to volunteer their service on the executive board. This is particularly difficult during those years when two of the three Friends' positions are vacant, and the Friends must compile a list of fourteen candidates.

The rationale underlying the existing statute was to: 1) provide the Friends of the Judiciary History Center input into the executive board's composition, and 2) provide the chief justice with options in the appointing process. Reducing the list of nominees for each of Friends' positions, from seven to three, will meet the same purpose.

This Judiciary strongly supports the passage of this bill. It also is supported by the Friends of the Judiciary History Center.

Thank you for the opportunity to testify on House Bill No. 2696, H.D. 1.



FRIENDS OF THE JUDICIARY HISTORY CENTER OF HAWAII

P.O. BOX 2415 • HONOLULU, HAWAII 96804

Testimony to the House Committee on Finance

The Honorable Marcus Oshiro, Chair
The Honorable Marilyn B. Lee, Vice Chair
Thursday, February 21, 2008, 3:00 p.m.
State Capitol, Conference Room 308

by
Rob Tomas
President

WRITTEN TESTIMONY ONLY

Support of House Bill No. 2696, H.D. 1, Relating to Board of the Judiciary History Center

The Friends of the Judiciary History Center is a 501(c)(3) organization created in 1986 to support the educational programs of the King Kamehameha V Judiciary History Center. Working in partnership with the Judiciary, the Friends help fund a wide range of educational programs at the Center including teacher workshops, public programs, museum exhibitions, films, and publications.

The Friends of the Judiciary History Center (Friends) support House Bill No. 2696, H.D. 1. The bill is intended to facilitate the appointment of members to the board of the King Kamehameha V Judiciary History Center by 1) clarifying the process of filling vacancies on the executive board, and 2) reducing the number of nominees submitted by the Friends to the chief justice from seven to three.

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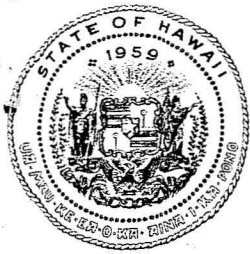
Under the current statutory scheme, the chief justice selects three of the five members from a list of seven candidates nominated by the Friends of the Judiciary History Center (hereinafter, "the three Friends' positions"). The current statute has been interpreted to require that whenever any of the three Friends positions become vacant, the Friends must submit a list of seven candidates for each vacancy. Unfortunately it has proven difficult to identify seven individuals willing to volunteer their service on the

executive board. This is particularly difficult during those years when two of the three Friends' positions are vacant, and the Friends must compile a list of fourteen candidates.

The Friends are in favor of reducing the number of candidates submitted for the three friends positions from seven to three. This allows for the Friends' continued input into the composition of the executive board. It also allows the Judiciary to fill vacancies in a more expeditious manner.

For these reasons the Friends strongly support House Bill 2696, H.D. 1. We feel that the bill continues and strengthens the unique partnership between the Friends and the Judiciary.

Thank you for the opportunity to testify.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

LINDA LINGLE
GOVERNOR
THEODORE E. LIU
DIRECTOR
MARK K. ANDERSON
ACTING DEPUTY DIRECTOR

No. 1 Capitol District Bldg., 250 South Hotel St., 5th Flr., Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
Web site: www.hawaii.gov/dbedt

Tel.: (808) 586-2355
Fax: (808) 586-2377

LATE

Statement of
THEODORE E. LIU
Director

Department of Business, Economic Development, and Tourism
before the

HOUSE COMMITTEE ON FINANCE

Thursday, February 21, 2008

3:00 p.m.

State Capitol, Conference Room 308

in consideration of
HB 2781, HD1
RELATING TO SMALL BUSINESS

Chair Oshiro, Vice Chair Lee, and Members of the Committee:

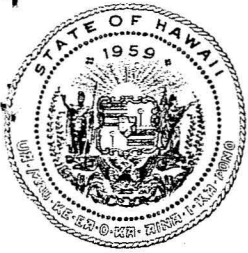
The Department of Business, Economic Development & Tourism (DBEDT) supports the intent of House Bill 2781 "Relating to Small Business." The Hawaii Regulatory Flexibility Act was initially passed in 1998 and later codified as Chapter 201M, Hawaii Revised Statutes. This law is now a model for many other states that have joined Hawaii in helping local small businesses through a fair and equitable regulatory process. To date, 18 states have active regulatory flexibility statutes or executive orders, 19 states have partial or partially-used regulatory flexibility statutes, and 6 states introduced similar legislation in 2007.

The bill provides that when a rule-making agency proposes a rule that imposes a higher standard than federal, state or county law, the agency is required to justify the higher standards; such standards must also be justified on a periodic basis. The bill further describes specific criteria utilized when justifying such higher standards. DBEDT

is in support of the proposed criteria as it addresses many of the pertinent questions that the Board is already seeking from the rule-making agencies during its rule review.

In summary, we support the requirement that provides when a proposed rule is more stringent than those mandated that the small business impact statement include the agency's comparisons and justification.

Thank you for the opportunity to provide this testimony.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

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