

# UNIVERSITY OF HAWAI‘I SYSTEM

## LEGISLATIVE TESTIMONY



HB 3360  
RELATING TO SCIENCE AND TECHNOLOGY

Testimony Presented Before the  
House Committee on Economic Development and  
Business Concerns

Tuesday, February 5, 2008, 8:30 a.m.

by  
James R. Gaines, Vice President for Research  
University of Hawaii System

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Tuesday, February 5, 2008, 8:30 a.m.  
State Capitol, Conference Room 325

**HB 3360 Relating to Science and Technology**

Chair Yamashita, Vice Chair Wakai, and Members of the Committee:

The University of Hawaii supports the intent of HB 3360 which would establish a task force to develop the Hawaii State Science and Technology Plan. However, we prefer the use of HB 2931 as the legislative vehicle, with the amendments proposed in our previous testimony on that measure. Specifically, HB 2931 is preferable as it provides for automatic review and update of the plan every two years.

Thank you for the opportunity to testify on this bill.

# OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII  
NO. 1 CAPITOL DISTRICT BUILDING  
250 SOUTH HOTEL STREET, SUITE 107  
HONOLULU, HAWAII 96813  
TELEPHONE: 808-586-1400 FAX: 808-586-1412  
EMAIL: oip@hawaii.gov

To: House Committees on Economic Development and Business Concerns

From: Paul T. Tsukiyama, Director

Date: February 5, 8:30 a.m.  
State Capitol, Room 325

Re: Testimony on H.B. 3360  
Relating to Science and Technology

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Thank you for the opportunity to submit testimony on H.B. 3360.

The Office of Information Practices ("OIP") takes no position on the substance of this bill, which would establish a Hawaii State Science and Technology Task Force, but seeks clarification of a provision on page 4 of the bill, lines 15-20, which states that

The task force shall be exempt from chapter 92, Hawaii Revised Statutes; provided that the task force shall make a good faith effort to make its proceedings and work products accessible and available to the general public in a manner consistent with the intent of chapter 92, Hawaii Revised Statutes.

The Sunshine Law is only part I of chapter 92. Parts II through IV of chapter 92 relate to non-Sunshine Law issues, such as boards' general powers and quorum requirements, copy charges for public records, and publication of legal notices. If the intent of this provision is to exempt the Task Force from the Sunshine Law, OIP

recommends that the bill state that the Task Force “shall be exempt from part I of chapter 92.”

OIP would, however, recommend that this Committee carefully consider whether it is good policy to exempt the Task Force from the Sunshine Law in light of the express policy and intent of the statute.

In a democracy, the people are vested with the ultimate decision-making power. Governmental agencies exist to aid the people in the formation and conduct of public policy. Opening up the governmental processes to public scrutiny and participation is the only viable and reasonable method of protecting the public’s interest. Therefore, the legislature declares that it is the policy of this State that the formation and conduct of public policy - the discussions, deliberations, decisions, and actions of government agencies - shall be conducted as openly as possible.

Haw. Rev. Stat. §92-1 (1993).

The issues on the issue on which the Task Force is charged with making recommendations are important to and will affect the public at large. Although the bill calls for the Task Force to make a good faith effort to make its proceedings accessible to the public, the way in which it chooses to do so will be entirely within the Task Force’s discretion and members of the public will have no recourse if they feel shut out of the proceedings. For instance, if it is exempt from the Sunshine Law, the Task Force will not be required to post notice of its meetings or allow the public to testify at its meetings.

Thank you for the opportunity to testify.

Statement of  
**YUKA NAGASHIMA**  
**Executive Director & CEO**  
High Technology Development Corporation  
before the  
**HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT & BUSINESS CONCERNS**  
Tuesday February 5, 2008  
8:30 AM  
State Capitol, Conference Room 325

In consideration of  
**HB 3360 RELATING TO A TECHNOLOGY MASTER PLAN.**

Chair Yamashita, Vice Chair Wakai, and Members of the House Committee on Economic Development and Business Concerns.

As with HB2931 Relating to a Technology Master Plan, the High Technology Development Corporation further supports the concept of HB 3360 which addresses current needs for a statewide science and technology plan. We believe this effort can also focus on the essential and long term need to strengthen and diversify our economy through *collaborative* and *comprehensive planning* and *implementation* for a vibrant and sustainable technology industry. There have been many good ideas introduced this legislative session that support the State's economic development goals. We note, however, that this appropriation was not included in the Executive's Supplemental Budget, and request that this appropriation not displace the priorities contained in that budget.

We offer these additional comments for your consideration: (a) the list of task force members includes positions of decision-makers and is focused on our university resources; however, we recommend that the task force be committed to reaching out to the greater tech community as well as the economic development stakeholders to establish a "buy in" from the get go; (b) the timeline to deliver a report and a Hawaii State Science and Technology Plan appears ambitious, but with proper resources and collaboration is reachable and we are willing to submit suggestions to the committee to this end; (c) we suggest this task force purpose align with the goals of 2050 Sustainability Plan (when adopted) and consider the results from studies the

State and private entities have already invested in or in the process of issuing (e.g., any findings and recommendations from the Hawaii Innovation Council created by Executive Order in 2007, the Broadband Task Force created by the legislature in 2007; and, (d) that we pay special attention to identify and embrace the variety of needs, challenges and opportunities presented by the diversity of both our tech sectors and the environment faced by all the major islands of this State.

Thank you for the opportunity to submit comments in support of HB 3360.