



Hawaii's Voice for a Better Future

COMMITTEE ON LEGISLATIVE
MANAGEMENT

March 27, 2008

Re: SB2129 — Relating to Elder Affairs

In Support

Because of the value of the independent advice of boards and commissions to the public decision-making process, it is critical that the Legislature receive advice and testimony that is not filtered nor modified to conform to the policy of any administrative agency.

The independence of boards and commissions arises because such bodies have a state or federal legislative mandate to advance the public interest through the expertise of their members.

From time to time, the Legislature may request or receive testimony or reports from a board or commission, as it does annually from PABEA (the Policy Advisory Board for Elderly Affairs). It appears, as stated in this bill, that the director of the Executive Office on Aging, as well as other officers of the Department of Health, have altered, edited, or withheld recommendations of the board in cases where those recommendations may be inconsistent with the recommendations or positions of the administration.


It appears that PABEA, by simply fulfilling its chartered responsibilities, has become part of a political chess game. It's a game which, if it continues, the losers can only be the senior citizens of Hawaii.

PABEA, as an independent board, develops policy with respect to legislation affecting the welfare of Hawaii's older residents. The bills that PABEA supports may or may not be supported by the executive branch, but that is by design. PABEA's charter is not to serve any political agenda but to represent the needs of Hawaii's seniors. This bill is necessary because the executive branch does not wish there to be this independent conduit for information between the senior community and the Legislature.

A protective bill such as this is not unusual. Many jurisdictions go further: recognizing the value of boards and commissions in the public policy decision-making process, they require that officials refrain from using public positions to improperly influence the deliberations, administrations, or decisions of established board or commission proceedings in any way.

For now, Kokua Council urges this committee to pass SB2129 so that direct access to this expertise is available to the Legislature whenever it seeks testimony or advice from PABEA.

Larry Geller, President


Kokua Council

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SB2129
LMG
Thursday, March 27, 2008
2:00 p.m.
Room 423

Rep. Michael Y. Magaoay, Chair
Rep. James Kunane Tokioka, Vice Chair