

COMMITTEE ON WAYS AND MEANS

Senator Rosalyn H. Baker, Chair
Senator Shan S. Tsutsui, Vice Chair

Testimony Index

DATE: Thursday, January 3, 2008
TIME: 9:00 a.m.
PLACE: Conference Room 211
State Capitol
415 South Beretania Street

Office of the Lieutenant Governor

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LIEUTENANT GOVERNOR

**SENATE COMMITTEE ON WAYS AND MEANS
SUPPLEMENTAL BUDGET REQUEST FOR 2008-2009
THURSDAY, JANUARY 3, 2008
STATE CAPITOL, CONFERENCE ROOM 210**

TESTIMONY OF THE OFFICE OF THE LIEUTENANT GOVERNOR (LTG 100)

Chair Baker, Vice-Chair Tsutsui, and members of the Senate Committee on Ways and Means, aloha mai kakou. My name is Kevin A. Souza and I am the Chief of Staff of the Office of the Lieutenant Governor. I am here today to testify on the Office of the Lieutenant Governor's supplemental budget request for fiscal year 2008-2009. The following is a summary of our office's objectives, performance results, problems and issues faced, and our program budget.

As you know, under Article V, Section 4 of the Hawaii State Constitution, the Lieutenant Governor acts in place of the Governor when the Governor is out of state. Additionally, the Office of the Lieutenant Governor's statutorily mandated duties include leadership as the Secretary of State and necessary administrative support in the efficient implementation of all Secretary of State duties. More specifically, pursuant to Section 26-1, HRS, the Lieutenant Governor is designated Secretary of State for intergovernmental relations and, in this capacity, directs and performs varied activities which are administrative, ministerial, and coordinative in nature. These activities include name change processing, administrative rules depository functions, certifications, apostilles, posting of board and commission hearing notices, and the sale and distribution of legislative publications. Beyond these duties, this office has been charged with the added and welcomed responsibilities of leading the Administration's efforts in the area of drug control.

We believe that today's strong economy and moderate revenue growth gives our state the opportunity to address current problems and make targeted investments in our future. But, this does not mean we should abandon fiscal discipline and open the spending floodgates. We support the Governor and you, the Legislature, in your effort toward managing a sound state budget. We all want to ensure a healthy economy for our State over the long run.

I. Department-Wide Budget Summary Information:

- 1. Totals for department FY08 budget with restrictions (where applicable) and emergency requests and FY09 proposed operating budget adjustments by means of financing (See Attachment 1).**

Please see Attachment 1.

- 2. Identify any emergency requests (by title and amount) that your department will be seeking for the current fiscal year (See Attachment 2). If none, please indicate "none".**

None.

- 3. Provide a summary of your FY09 proposed operating budget adjustments by Program ID (See Attachment 3). This summary should provide the aggregate of adjustments by Program ID and means of financing.**

Please see Attachment 3.

- 4. Provide a description of all FY09 proposed operating budget adjustments by Program ID (See Attachment 4).**

Please see Attachment 4.

- 5. Provide a listing of all proposed FY09 capital improvement projects (See attachment 5).**

None.

- 6. Briefly discuss specific budget adjustments of concern for your agency.**

Not applicable.

- 7. Provide a summary of your department's request to the Department of Budget and Finance, the funding decisions made by the Department of Budget and Finance, and the funding decisions finalized by the Governor (See Attachment 6).**

Please see Attachment 6.

- 8. Explain the process used to identify priorities (requests for additional operating and capital improvements program funding) for your department including which category the requests for additional funding fall into: a. program initiatives of the Governor, b. certain unavoidable fixed costs and/or entitlements, or c. on-going critical programs which lack continued funding.**

Not applicable.

- 9. Discuss how requests for additional operating and capital improvements program funding were prioritized and discuss the manner in which community, departmental, and legislative input was gathered and utilized to determine priorities.**

Not applicable.

- 10. Briefly discuss which actions your department has taken or is planning to take to reduce operating costs, and how those actions will translate into savings that may be reduced from your budget (See Attachment 7).**

Please see Budget Testimony.

- 11. Identify all positions that are vacant as of December 1, 2007. For each of these positions please indicate if authority for your department to hire was or was not granted (See Attachment 8).**

Please see Attachment 8.

- 12. Provide a listing of all instances of your department's expenditures exceeding the federal fund ceiling for FY07 and FY08 (See Attachment 9).**

Not applicable.

- 13. Provide a listing of all budget appropriations transferred to another Program ID and/or another department in FY07 and FY08 (See Attachment 10).**

Not applicable.

- 14. Provide a listing of all deployed positions (See Attachment 11).**

Not applicable.

II. Program I.D. and Title:

1. Introduction:

a. Summary of program objectives.

To enhance the effectiveness and efficiency of state programs by providing leadership and executive management and by developing policies and priorities to give program direction.

b. Description of program objectives. Present your summary of the objectives and activities as discussed in the Multi-Year program and Financial Plan.

1. Pursuant to Article V, Section 4 of the Hawaii State Constitution, the Lieutenant Governor acts in place of the Governor in the event of the Governor's absence from the State.

2. The Lieutenant Governor provides leadership as the Secretary of State and necessary administrative support in the efficient implementation of all Secretary of State duties. More specifically, pursuant to Section 26-1, HRS, the Lieutenant Governor is designated Secretary of State for intergovernmental relations and, in this capacity, directs and performs varied activities which are administrative, ministerial, and coordinative in nature. These activities include name change processing, administrative rules depository functions, certifications, apostilles, posting of board and commission hearing notices, and the sale and distribution of legislative publications.

3. The Lieutenant Governor performs duties and implements projects assigned by or on behalf of the Governor. At this time, these duties have centered on public safety and human services, including the Hawaii Drug Control Plan. More specifically, the Lieutenant Governor has been asked to provide leadership and to develop policies and priorities in the area of combating illicit drug abuse and underage drinking in the State of Hawaii which directly affect public safety and the State's human services. The Lieutenant Governor has also been tasked with other policy projects dealing with public safety, including both corrections and law enforcement initiatives.

4. The Lieutenant Governor provides administrative support to the Office of the Lieutenant Governor's attached agency, the Office of Information Practices.

5. Finally, the Lieutenant Governor provides timely information to public and constituent queries, concerns, and problems.

c. Explain how your program intends to meet its objectives in the upcoming supplemental year.

1. Projects

The Office of the Lieutenant Governor will efficiently coordinate its projects to maximize their results. It will work jointly and collaborate with as many community, public sector, and private sector interests as are appropriate on its projects.

2. Office Management

The Office of the Lieutenant Governor continues to cross train its staff in supporting the Lieutenant Governor in carrying out his ministerial duties as well as the overall mission of the office. Additionally, a plan to streamline and automate operations by providing enhanced electronic access to government information and services will be implemented. Workload evaluation will be an ongoing review by the Lieutenant Governor and his staff.

2. Program Performance Results:

a. Discuss the performance results achieved by each program in FY07.

1. Constitutional Obligations

The Lieutenant Governor continues to serve in place of the Governor, from time to time, when the Governor is out of state.

2. Statutory Obligations / Secretary of State

The Office of the Lieutenant Governor continues to provide leadership as the Secretary of State along with the necessary administrative support in the efficient implementation of Secretary of State duties. In this capacity, the Lieutenant Governor directed and performed varied activities which are administrative, ministerial, and coordinative in nature. These activities included name change processing, administrative rules depository functions, certifications, apostilles, the posting of board and commission hearing notices, and the sale and distribution of legislative publications.

3. The Hawaii Drug Control Plan

The Lieutenant Governor continues to provide leadership in developing and directing the State's response to illicit drug use and underage drinking. The Office of the Lieutenant Governor actively engages with stakeholders at the federal, state, county, and community levels to coordinate and facilitate collaborative efforts in the targeted areas of prevention, treatment, and interdiction/enforcement. The Drug Control Specialist, housed within the Office of the Lieutenant Governor, supports the administration's drug control strategy as the official liaison

between the office and the numerous private and public agencies and individuals involved in the effort against illicit drug use and underage drinking.

In addition to the above, the Office of the Lieutenant Governor played a significant role in numerous drug control initiatives over the past year, including:

- Facilitating a partnership between the Department of Health and Department of Human Services in obtaining a 3-year, \$8.12 million Access to Recovery (ATR) grant from the Substance Abuse and Mental Health Services Administration (SAMHSA). The initiative will provide recovery support services to parents in the Child Welfare Services system.
- Chairing the State Advisory Council for the 5-year, \$11 million Strategic Prevention Framework – State Incentive Grant from SAMHSA, which will fund and develop a coordinated, data driven substance abuse prevention infrastructure, including targeted prevention programming and formal evaluation.
- Chairing the State's Co-Occurring – State Incentive Grant project task force that completed work on a Strategic Plan for Integrated Treatment of Co-Occurring Substance Use and Mental Disorders.
- Coordinating State support and participation in SAMHSA-led initiative to develop a specialized Strategic Plan to address Co-Occurring Disorders in the Native Hawaiian population.
- Advocating for the establishment of a Screening, Brief Intervention, Referral and Treatment (SBIRT) pilot program in local hospital emergency rooms and/or trauma centers. SBIRT is an evidence-based, best practice, model program that spans both the substance abuse treatment and prevention fields.
- Working with the Department of Human Services to allow for Medicaid reimbursement for substance abuse screening and brief intervention services provided in medical settings.
- Spearheading State support for an innovative pre-natal alcohol and drug Screening, Assessment, Referral and Treatment (SART) program in Hawaii Island. This community-based initiative aims to improve birth and child outcomes by responding specifically to the needs to alcohol and drug-using pregnant women.
- Re-establishing the Hawaii Advisory Commission on Drug Abuse and Controlled Substances (HACDACS) as an active and integral broad-based community advisory body on drug control matters.

- Supporting the Administration's (DLIR's) partnership with the private sector and workers' union to pass Act 179, allowing on-site substance abuse screening tests in the workplace.
- Coordinating with the White House Office of National Drug Control Policy (ONDCP) to hold a Regional Student Drug Testing Summit in Honolulu in March 2007.
- Leading the Administration's efforts to prevent and reduce underage drinking by participating in and supporting the Hawaii Partnership to Prevent Underage Drinking, and hosting the Surgeon General's visit to roll out the national Call to Action on Underage Drinking.
- Actively encouraging anti-smoking initiatives such as the Synar Tobacco Initiative to control the sale of tobacco products to minors. Due to strong prevention and education efforts to strict enforcement, Hawaii consistently ranks high in tobacco sale compliance rates.
- Coordinating public substance awareness campaigns that continue to educate the public on the problems, challenges, ongoing efforts, and triumphs in the field of illicit drug use and underage drinking. Organized activities and events for Substance Abuse Awareness Month (February), Alcohol Awareness Month (April), Teach-Ins for Underage Drinking Prevention (May), and Alcohol and Drug Addiction Recovery Month (September).

b. Explain how these results relate to the program's objectives and department's mission.

All project efforts and resultant outcomes relate directly to program objectives of: (1) achieving efficiencies and effectiveness where possible in State government; and (2) providing Administration and State leadership by addressing statewide, national, and international concerns which either affect or are of benefit to the people of Hawaii.

c. Explain how the effectiveness of the program is measured (i.e., outcomes, measures of effectiveness, benchmarks, etc.) and discuss the performance results achieved during the past two years.

In order to measure the effectiveness of programs, ongoing evaluations by the Lieutenant Governor and his staff are performed to ensure project goals are achieved. Additionally, critical functions are evaluated based on performance efficiency (i.e., constituent response times, public services, etc.).

d. Discuss the actions taken by each program to improve its performance results.

In addition to the previously discussed responsibilities, the Office of the Lieutenant Governor will continue to solicit feedback and input from community, public sector, and private sector interests on issues which affect the State of Hawaii, including, but not limited to, issues related to public safety and the Hawaii Drug Control Plan, as well as all constitutional and statutory obligations performed by the Office of the Lieutenant Governor.

e. Please identify all modifications to your program's performance measures and discuss the rationale for these modifications.

There have not been any modifications made to our program's performance measures.

3. Problems and Issues:

a. Discussion of problems and issues encountered, if any.

The most challenging issue for the Office of the Lieutenant Governor is to implement as many projects as organizationally possible with limited office staff and resources.

b. Program change recommendations to remedy problems.

Efforts continue to be made to cross train staff in the Secretary of State duties as well as other duties to achieve the mission of the Office of the Lieutenant Governor.

c. Identify any program issues or problems that have affected or will affect the implementation of the program, and the corrective measures or remedies established or planned.

Not applicable.

4. Expenditures for FY08:

Provide the appropriation data, transfers, restrictions, available resources, and the estimated expenditures for FY08. For new Program I.D.'s, please present the data as best as can be determined.

Act 213/SLH 07		Collective Bargaining	Transfers In/Out	Restriction	Net Allocation	Est.Total Expenditures
Position Count	3.00				3.00	3.00
Personal Services	796,604.00	29,456.00			826,060.00	826,060.00
Current Expenses	53,013.00				53,013.00	53,013.00
Equipment	0.00					0.00
Motor Vehicles	0.00					0.00
TOTAL	849,617.00				879,073.00	879,073.00
Position Count	3.00					3.00
General Fund	849,617.00				879,073.00	879,073.00

a. **Explain all transfers within the Program I.D. and the impact on the program.**

None.

b. **Explain all transfers between Program I.D.'s and the impact on the program.**

None.

c. **Explain any restrictions and the impacts on the program.**

As applicable, provide a description of the impact of the transfers that have occurred within the program I.D. between the various cost elements, transfers occurring between different program I.D.'s, and restrictions imposed.

None.

5. Supplemental Budget Requests for FY09:

Provide the total position counts and funds requested.

	FY 09	Total Cost
Position Count	0.00	0.00
Personal Services	0.00	0.00
Current Expenses	0.00	0.00
Equipment	0.00	0.00
Motor Vehicles	0.00	0.00
Grand Total	0.00	0.00
Position Count (Special)	0.00	0.00
Position Count (Federal)	0.00	0.00
Position Count	0.00	0.00
General	0.00	0.00

a. Workload or program request:

For each program package or item requested within the Program I.D., provide the following (if no request is being made, indicate "none"):

- i. A description of the request, the reasons for the request, and the desired outcomes or the objectives to be accomplished by the proposed program.**

None.

- ii. A listing/description of the positions requested, and funding requirements by cost category and source of funding.**

None.

- iii. For all lump sum requests, please provide a detailed breakout indicating specific purposes for all planned expenditures.**

None.

- b. For all position count reductions, please specify whether the positions were filled or vacant.**

None.

6. Program Restrictions:

Identify restrictions carried over from FY08 as well as additional reductions due to Department of Budget and Finance budget ceilings for FY09. If no reduction is being proposed, please indicate "none".

None.

- a. A description of the reduction, the reasons for the reduction, and the impacts to the objectives to be accomplished by the program.**

None.

- b. A listing/description of the positions cut including source of funding, please specify whether the positions were filled or vacant.**

None.

- 7. Capital Improvement Program (CIP) Requests for FY09:**
CIP data for all projects within the agency being heard shall be combined into a single appendix in the department's testimony (if no request is being made, please indicate "none").

None.

Each CIP request shall include the following:

- a. Project title and description.**

None.

- b. Financial requirements by project phase and means of financing.**

None.

- c. Explanation and scope of project.**

None.

- d. Justification for the project.**

None.

- e. For all lump sum requests, please provide a specific breakout detailing specific projects for all planned expenditures.**

None.

- f. Senate and House district(s) for the project.**

None.

- 8. Proposed Lapses of CIP projects:**

Any CIP project identified for lapse shall include the following (if no lapses are being proposed, please indicate "none"):

None.

a. Project title.

None.

b. Act and year of project appropriation (include all applicable amendments).

None.

c. Amount requested for lapse and means of financing.

None.

d. Justification for lapse of the project.

None.

Attachment 1
Department-Wide Summary Information
Totals for Proposed Department Budget Adjustments (by Method of Funding)

FY08				
MOF	Act 213/07	Restriction	Emergency	Total FY08
	Appropriation		Request	
	(a)	(b)	(c)	(a)+(b)+(c)
A	849,617	-	-	849,617
	-	-	-	-
	-	-	-	-
	-	-	-	-
Dept. Totals	849,617	0	0	849,617

FY09				
MOF	Act 213/07	Reduction	Addition	Total FY09
	Appropriation			
	(d)	(e)	(f)	(d)+(e)+(f)
	849,631	-		849,631
	-	-	-	-
	-	-	-	-
	-	-	-	-
Dept. Totals	849,631	-		849,631

Please indicate restrictions and reductions as negative numbers, using brackets ()

Attachment 2
Department-Wide Summary Information
Fiscal Year 08 Proposed Emergency Requests

<u>Program ID</u>	<u>MOF</u>	<u>Title of Emergency Requests</u>	<u>FTE</u>	<u>\$ Amount</u>
LTG100		None	-	-
Dept. Totals by MOF			-	-

Attachment 3
Department-Wide Summary Information
Fiscal Year 09 Proposed Budget Adjustments

<u>Program ID</u>	<u>MOF</u>	<u>Program ID Title</u>	<u>FTE</u>	<u>\$ Amount</u>
LTG100	A	Office of the Lieutenant Governor	-	-
Dept. Totals by MOF			-	-

Attachment 5
FY09 Capital Improvements Program Summary

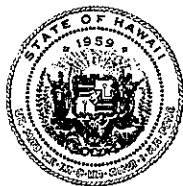
<u>Priority</u>	<u>Project Title</u>	<u>FY09 \$ Amount</u>	<u>MOF</u>
1	None	-	A
2			
3			
4			

Attachment 7
Actions to Realize Savings

<u>Program ID</u>	<u>MOF</u>	<u>Description of Action to Realize Savings</u>	<u>\$ Amount of Actual FY07 Savings</u>	<u>\$ Amount of Projected FY08 Savings</u>
LTG100	A	None	-	-

Attachment 10
Listing of Transfers for FY07 and FY08

<u>Program ID</u>	<u>FY07 Ceiling</u>	<u>FY07 Amount Transferred</u>	<u>FY08 Ceiling</u>	<u>FY08 Amount Transferred</u>	<u>Reason for Transfer</u>	<u>Recurring (Y/N)</u>
LTG100	N/A	N/A	N/A	N/A	N/A	N/A



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TESTIMONY OF THE OFFICE OF INFORMATION PRACTICES
OFFICE OF THE LIEUTENANT GOVERNOR
PROGRAM ID: LTG 105

SUPPLEMENTAL BUDGET REQUEST FOR FY 2008-2009

SENATE COMMITTEE ON WAYS AND MEANS

Thursday, January 3, 2008

State Capitol, Conference Room 210

Chair Baker, Vice-Chair Tsutsui, and members of the Senate Committee on Ways and Means, my name is Paul Tsukiyama and I am the director of the Office of Information Practices ("OIP").

As you know, OIP's role is to administer our state's public records law, the Uniform Information Practices Act (Modified) ("UIPA"), chapter 92F, Hawaii Revised Statutes, and, since 1998, our state's open meetings law, part I of chapter 92, Hawaii Revised Statutes, (the "Sunshine Law"). In administering these laws, OIP performs a wide range of duties, from providing education and legal guidance to government agencies and the public about these laws, to assisting the public in obtaining access to government records, to overseeing compliance with both laws through investigation of alleged Sunshine Law violations and ruling on public appeals from agency denials of access.

Additionally, OIP monitors and may participate in litigation involving the UIPA or Sunshine Law. During the legislative session, OIP may recommend legislative changes to the UIPA and Sunshine Law. It also assists others with drafting legislation and offers testimony on legislation, where such legislation concerns the government's information practices, public access to government records and meetings, and the privacy rights of individuals.

OIP continues to look for ways to streamline its procedures to provide timely legal guidance and assistance to the public and government agencies, boards and officials. OIP is most successful in providing timely assistance through its Attorney-of-the-Day ("AOD") program. Through this program, members of the

public and government personnel, officers or board members can receive legal guidance and assistance from an OIP staff attorney usually within the same day. OIP has also placed emphasis on training and has generally satisfied all requests for training and educational materials made by government boards and agencies. Because of the breadth of its duties and staffing levels, OIP's largest struggle continues to be reducing the backlog of UIPA appeals, requests for formal advisory opinions, and requests for investigations.

I. Department-Wide Budget Summary Information:

- 1. Totals for department FY08 budget with restrictions (where applicable) and emergency requests and FY09 proposed operating budget adjustments by means of financing.**

MOF	FY08			Total FY08 (a)+(b)+(c)
	Act 213/07 Appropriation (a)	Restriction (b)	Emergency Request (c)	
A	411,475	-	-	411,475
Program Total	411,475	0	0	411,475

MOF	FY09			Total FY09 (d)+(e)+(f)
	Act 213/07 Appropriation (d)	Reduction (e)	Addition (f)	
	411,507	-		411,507
Program Totals	411,507	-		411,507

- 2. Identify any emergency requests (by title and amount) that your department will be seeking for the current fiscal year.** None
- 3. Provide a summary of your FY09 proposed operating budget adjustments by Program ID.** None
- 4. Provide a description of all FY09 proposed operating budget adjustments by Program ID.** None
- 5. Provide a listing of all proposed FY09 capital improvement projects.** None
- 6. Briefly discuss specific budget adjustments of concern for your agency.** N/A

7. Provide a summary of your department's request to the Department of Budget and Finance, the funding decisions made by the Department of Budget and Finance, and the funding decisions finalized by the Governor. N/A
8. Explain the process used to identify priorities (requests for additional operating and capital improvements program funding) for your department. N/A
9. Discuss how requests for additional operating and capital improvements program funding were prioritized. N/A
10. Briefly discuss which actions your department has taken or is planning to take to reduce operating costs, and how those actions will translate into savings that may be reduced from your budget. N/A
11. Identify all positions that are vacant as of December 1, 2007. For each of these positions please indicate if authority for your department to hire was or was not granted.

Date of Vacancy	Program I.D.	Position Title	Position No.	Exempt (Y/N)	Budgeted Amount	Actual Salary Last Employee Paid	MO F	Program ID	Authority to Hire (Y/N)
5/15/07	LTG105	Staff Attorney	117247	Y	\$51,000.00	\$51,000.00	A	LTG105	Y

12. Provide a listing of all instances of your department's expenditures exceeding the federal fund ceiling for FY07 and FY08. N/A
13. Provide a listing of all budget appropriations transferred to another Program ID and/or another department in FY07 and FY08. N/A
14. Provide a listing of all deployed positions. N/A

II. Program I.D. and Title:

1. Introduction:

a. Summary of program objectives.

To implement and oversee compliance with the UIPA and the Sunshine Law in accordance with its powers and duties set forth in sections 92F-42, HRS, and 92-1.5, HRS.

b. Description of program objectives. Present your summary of the objectives and activities as discussed in the Multi-Year program and Financial Plan.

1. Provide guidance and assistance to the public and government entities through its "Attorney of the Day" service and through the issuance of written advisory opinions.
2. Provide education and guidance through the publication of advisory opinions, educational materials, and newsletter.
3. Provide education through training workshops for government agency employees and officials and government board members.
4. Receive and resolve complaints regarding alleged violations of the Sunshine Law.
5. Accept and rule on appeals made by members of the public from agency denials of access to government records.
6. Monitor litigation raising issues under the UIPA or Sunshine law with possible intervention in those cases concerning the UIPA.
7. Make recommendations for, assist with drafting of and providing comment regarding legislation concerning government information practices, public access to government records and meetings, and the privacy rights of individuals.
8. Administer "Records Report System" and assist agencies with meeting their annual statutory obligations to maintain their reports under section 92F-18.

c. Explain how your program intends to meet its objectives in the upcoming supplemental year.

OIP will continue with its current programs and publications. It will also continue its efforts to streamline its procedures in an effort to decrease its current backlog of pending requests for opinions, investigations, and appeals. OIP will

continue in its efforts to better utilize its existing staffing level, shifting job responsibilities, and utilizing other resources to create greater efficiency.

OIP will also continue to look to assisting communication and cooperation among the parties and, if necessary, serving as mediator. OIP will look for ways to better utilize its website to provide guidance and to expand on its training materials to reduce the requests for general guidance that it provides on a daily basis in order to devote more of its resources to meeting the demand for formal opinions, investigations and appeals.

2. Program Performance Results:

a. Performance results achieved by each program in FY07.

In FY07, OIP received over 1,100 inquiries and requests from the public, government agencies and boards. 772 inquiries were received through its AOD program. Of those, 201 inquiries (26%) were from members of the public, including 125 from private individuals, 32 from news media sources, and 15 from public interest groups. The remaining 571 requests (74%) came from government agencies and boards.

When possible, OIP responds to written requests through informal correspondence, generally within a very short timeframe. OIP handled 26 requests in this manner in FY07. For more factually detailed or legally complex issues, appeals, or Sunshine Law investigations, OIP opens formal case files. OIP will also open case files where a member of the public requires assistance in obtaining a response from a government agency.

In FY07, OIP opened 51 case files in response to written requests for opinions and investigations under the Sunshine Law, 23 investigations and 28 opinion requests (information regarding the investigations is detailed at pages 6-8 of the 2007 Annual Report). 62 files were opened in response to requests for assistance under the UIPA and 47 files were opened in response to requests for opinions under the UIPA or UIPA appeals. In FY07, OIP issued 13 formal opinions and 31 informal opinions (see summaries of opinions at pages 20-26 of the 2007 Annual Report). OIP also continued to monitor lawsuits involving the Sunshine Law or UIPA (see pages 8-10 of the 2007 Annual Report).

OIP introduced three bills in the last legislative session that recommended changes to the UIPA and Sunshine Law. OIP also provided assistance to agencies, boards, officials and the public in drafting legislations or in understanding the ramifications of proposed legislation. OIP also monitored and/or testified on 130 legislative initiatives that dealt with information practices and meetings (see page 27 of the 2007 Annual Report).

To provide education and guidance OIP continued its traditional print publications, including the *Openline* newsletter, annual report, UIPA handbook (to provide agency personnel with guidance in responding to record requests), an informational brochure to assist the public in understanding and using the UIPA, and an Open Meetings Guide. In addition to OIP's annual training workshops on the UIPA and the Sunshine Law for all state agency personnel and state board members and staff and similar workshops for the County of Hawaii, OIP conducted 33 smaller training sessions for various state and county agencies and boards (see page 34 of the 2007 Annual Report). OIP also held a Sunshine Law presentation for the public hosted by the Honolulu Advertiser in conjunction with national Sunshine Week.

b. Explain how these results relate to the program's objectives and department's mission.

OIP's activities described directly further its objective to provide assistance and uniform legal guidance in response to all requests, to provide education to the public as well as all government boards, agencies and officials, and to offer its expertise with legislation concerning issues within its purview.

c. Explain how the effectiveness of the program is measured (i.e., outcomes, measures of effectiveness, benchmarks, etc.) and discuss the performance results achieved during the past two years.

OIP has instituted a system to track the various types of requests made and completion dates. Effectiveness is measured by the number of requests for assistance or legal guidance fulfilled, the number of opinion letters issued and determinations made, and the number of training sessions completed. Performance results have generally remained fairly consistent, but the number of training sessions were significantly increased.

d. Discuss the actions taken by each program to improve its performance results.

OIP has streamlined its procedures, created and updated forms to improve efficiency, and improved its website to allow greater accessibility to information. In addition, OIP solicits feedback on its training methods.

e. Please identify all modifications to your program's performance measures. None

3. Problems and Issues:

a. Discussion of problems and issues encountered, if any.

OIP's limited staff has been taxed by the need to defend its determination against a suit brought by the County of Kauai arising from a UIPA appeal brought by a member of the public for the denial of access to county council minutes.

b. Program change recommendations to remedy problems. None

c. Identify any program issues or problems that have affected or will affect the implementation of the program, and the corrective measures or remedies established or planned. N/A

4. Expenditures for FY08:

Provide the appropriation data, transfers, restrictions, available resources, and the estimated expenditures for FY08.

	Appropriation Act 160/06 FY06-07	Collective Bargaining	Transfer in Transfer-out	Restriction	Estimated Total Expenditure
(Pos Counts)	5.00				
Personal Services	350,367	21,107			371,474
Current Expense	35,220				35,220
Equipment	0				0
Motor Vehicle	0				0
TOTAL	385,587	21,107			406,694

a. Explain all transfers within the Program I.D. and the impact on the program. None.

b. Explain all transfers between Program I.D.'s and the impact on the program. None.

c. Explain any restrictions and the impacts on the program. None

5. Supplemental Budget Requests for FY09: None

6. Program Restrictions: None

7. Capital Improvement Program (CIP) Requests for FY09: None

8. Proposed Lapses of CIP projects: None