

NEIL ABERCROMBIE
Governor

BRIAN SCHATZ
Lieutenant Governor

RICHARD LIM
Director



ORLANDO "DAN" DAVIDSON
Executive Officer

LAND USE COMMISSION
Department of Business, Economic Development & Tourism
State of Hawai'i

LATE TESTIMONY

Statement of
ORLANDO "DAN" DAVIDSON
Executive Officer, State Land Use Commission
Department of Business, Economic Development, and Tourism
before the
HOUSE COMMITTEE ON JUDICIARY

Tuesday, February 21, 2012
2:00 PM
State Capitol, Conference Room 325

in consideration of
HB 1730, HD1
RELATING TO THE LAND USE COMMISSION.

Chair Keith-Agaran, Vice Chair Rhoads, and Members of the House Committee on
Judiciary.

The proposed bill would amend Chapter 205, Hawai'i Revised Statutes (HRS), to add
a section on conflict of interest.

The Land Use Commission has not yet taken a position on HB 1730, HD1. These
comments are my own and do not reflect a position of the LUC or of any of the
individual commissioners. Speaking as the Executive Officer and staff to the
Commission, I offer the following comments.

Conflicts of interest provisions are spelled out in an existing statute, specifically
Chapter 84, HRS, titled Standards of Conduct. These provisions apply to all public officials,
including members of the Land Use Commission, and are comprehensive in scope. In

addition, the Commission's existing administrative rules cover the process by which Commissioners must declare a possible conflict of interest, consistent with Chapter 84, HRS.

Any perceived need to further define conflicts of interest would appear to be best served by amending the relevant portions of Chapter 84, HRS, not the State Land Use Law, Chapter 205, HRS, which is primarily substantive in nature.

Thank you for the opportunity to testify.

LATE TESTIMONY



LIFE OF THE LAND

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COMMITTEE ON JUDICIARY

Rep. Gilbert S.C. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair

HB 1730

DATE: Tuesday, February 21, 2012
TIME: 2:00 PM
PLACE: Conference Room 325
BILL: HB 1730 Land Use Commission Conflict-of-Interest

SUPPORT with AMENDMENT

Aloha Chair Keith-Agaran, Vice Chair Rhoads and Members of the Committee

My name is Henry Curtis and I am the Executive Director of Life of the Land, Hawai'i's own energy, environmental and community action group advocating for the people and `aina for four decades. Our mission is to preserve and protect the life of the land through sound energy and land use policies and to promote open government through research, education, advocacy and, when necessary, litigation.

Conflicts of interest are usually discovered by the public. To find them, it is helpful to know something about those in power who are making key decisions. Like legislators, commissioners should publicize their required annual ethics filing.

Proposed Amendment: HRS 84-17(d) The financial disclosure statements of the following persons shall be public records and available for inspection and duplication: ... (8) Commissioners on the Land Use Commission.



At a time when public confidence in government is slipping, it is important to let the sunshine in.

Mahalo
Henry Curtis