



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

GOV. MSG. NO. 1394

July 10, 2019

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

Re: HB1433 HD1 SD1 CD1

Pursuant to Section 16 of Article III of the State Constitution, HB1433 HD1 SD1 CD1, entitled "A BILL FOR AN ACT RELATING TO ADDRESS CONFIDENTIALITY" became law as ACT 274 on July 10, 2019.

This bill amends chapter 801G, Hawaii Revised States, to change the governmental entity responsible for administration of the address confidentiality program from the Department of the Attorney General to the Office of the Lieutenant Governor. The legislature determined that the Office of the Lieutenant Governor is the appropriate governmental entity to administer the program.

The address confidentiality program was signed into law on July 5, 2018. This law provides survivors of domestic abuse, sexual offenses, or stalking with a substitute address to be used by state and local government agencies. The program is intended to prevent a victim's assailant or potential assailant from finding the victim through public records. Chapter 801G prohibits the address of a program participant from being made public or published in state or county governmental records.

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The Honorable Scott K. Saiki
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Although the bill presents implementation and funding issues, we recognize the need to establish this program and to begin offering program services to victims that fear for their safety because their whereabouts are available through government records.

Attorney General Clare E. Connors fully supports this program and has agreed to assist with the transition of this program from the Department of the Attorney General to the office of the lieutenant governor by sharing program processes, training presentations and forms that were developed during the past year.

Although the bill originated as a funding bill to allow for proper staffing and operational costs related to the administration of the program, funding provisions were not included in the final version of the bill. We hope to have a continued conversion to address the funding issue and to ensure successful implementation and sustained operation of the program.

For the foregoing reasons, I allowed HB1433 HD1 SD1 CD1 to become law without my signature.

Sincerely,

A handwritten signature in black ink, appearing to read "David Y. Ige". The signature is fluid and cursive, with a large loop at the end.

DAVID Y. IGE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO ADDRESS CONFIDENTIALITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that on July 5, 2018,
 2 Governor David Ige signed Act 115, Session Laws of Hawaii 2018,
 3 known as the Address Confidentiality Program Act, into law.
 4 This law provides survivors of domestic abuse, sexual offenses,
 5 or stalking with a substitute address to be used by state and
 6 local government agencies instead of their physical address.
 7 The substitute address may be used whenever an address is
 8 required for public records. Mail is received at the substitute
 9 address and forwarded to the survivor's actual address.

10 The legislature finds that the office of the lieutenant
 11 governor, rather than the department of the attorney general,
 12 may be the appropriate governmental entity to administer this
 13 program.

14 Accordingly, the purpose of this Act is to amend chapter
 15 801G, Hawaii Revised Statutes, to change the governmental entity
 16 responsible for administration of the address confidentiality
 17 program from the department of the attorney general to the
 18 office of the lieutenant governor.



1 SECTION 2. Section 801G-1, Hawaii Revised Statutes, is
2 amended by deleting the definition of "department".

3 [~~"Department" means the department of the attorney~~
4 ~~general."~~]

5 SECTION 3. Section 801G-2, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) There is established the address confidentiality
8 program in the [~~department of the attorney general~~] office of
9 the lieutenant governor to protect the confidentiality of the
10 actual address of a victim of domestic abuse, a sexual offense,
11 or stalking and to prevent the victim's assailants or potential
12 assailants from finding the victim through public records. The
13 program shall:

14 (1) Assign a substitute address to the program participant
15 that shall be used by agencies;

16 (2) Receive first-class, certified, or registered mail
17 sent to a program participant at the substitute
18 address and forward the mail to the program
19 participant at no cost to the program participant;
20 provided that the program shall not be required to
21 track or maintain records of mail or to forward



1 packages, bulk mail, or pre-sorted mail; provided
2 further that the program shall maintain a log of
3 certified or registered mail or service of legal
4 process received on behalf of a program participant;
5 and

6 (3) Act as the agent of the program participant for
7 purposes of service of all legal process in the
8 State."

9 SECTION 4. Section 801G-7, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "[~~f~~]§801G-7[~~t~~] **Appeal.** Within thirty days of the date of
12 the notice of denial of an application or of certification
13 cancellation, an applicant or program participant may submit a
14 written appeal to the [~~department,~~] office of the lieutenant
15 governor; provided that [~~the~~]:

16 (1) The appeal shall not be treated as a contested case as
17 defined in chapter 91 [~~, and the~~];

18 (2) The appeal process shall not include a hearing; and
19 [~~the department's~~]

20 (3) The office of the lieutenant governor's final
21 determination shall not be subject to judicial review."



HB No. 1433, HD 1, SD 1, CD 1

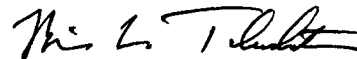
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki
Speaker
House of Representatives

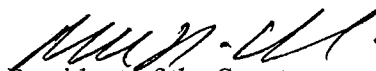



Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 30, 2019
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the
Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.


President of the Senate


Clerk of the Senate