



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 03/28/2019
Time: 10:15 AM
Location: 211
Committee: Senate Ways and Means

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: HB 0532, HD1 RELATING TO GOVERNMENT DATA.

Purpose of Bill: Establishes a Chief Data Officer and Data Task Force in the Office of Enterprise Technology Services to develop, implement, and manage statewide data set policies, procedures, and standards. Appropriates moneys. (HB532 HD1)

Department's Position:

The Department of Education (Department) supports HB 532, HD1 to increase data sharing efforts and strategies.

The Department would like to ensure that data sharing efforts are aligned with the existing federal, state, and Board of Education reporting and privacy requirements.

We look forward to the opportunity to collaborate with the Office of Enterprise Technology Services and the state's Chief Data Officer to increase access to K-12 educational data while protecting the privacy of our students, complying with reporting mandates, and other matters unique to K-12 educational data.

Thank you for the opportunity to provide testimony on this measure.

The Hawaii State Department of Education seeks to advance the goals of the Strategic Plan which is focused on student success, staff success, and successful systems of support. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.

DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



SCOTT T. MURAKAMI
DIRECTOR

LEONARD HOSHIJO
DEPUTY DIRECTOR

**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

830 PUNCHBOWL STREET, ROOM 321

HONOLULU, HAWAII 96813

www.labor.hawaii.gov

Phone: (808) 586-8844 / Fax: (808) 586-9099

Email: dlir.director@hawaii.gov

March 27, 2019

To: The Honorable Donovan M. Dela Cruz, Chair,
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair, and
Members of the Senate Committee on Ways and Means

Date: Thursday, March 28, 2019
Time: 10:15 a.m.
Place: Conference Room 211, State Capitol

From: Scott T. Murakami, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. No. 532 H. D. 1 RELATING TO GOVERNMENT DATA

I. OVERVIEW OF PROPOSED LEGISLATION

HB532HD1 adds a new section to Chapter 27, Hawaii Revised Statutes (HRS), to establish a Chief Data Officer within the Office of Enterprise Technology and a data set task force to assist the Chief Data Officer in developing the State's data set policies, procedures, standards, and format standards to be used by all agencies in making their data sets available.

DLIR supports the intent of the measure and proposes an amendment.

II. COMMENTS ON THE HOUSE BILL

The Department supports the intent of this measure. DLIR participates in data sharing with other departments and would like to participate in discussions about open data policies. Therefore, the Department proposes amending the measure to include the DLIR Director or the Director's designee as a member of the Data Task Force.



Email: communications@ulupono.com

SENATE COMMITTEE ON WAYS & MEANS
Thursday, March 28, 2019 — 10:15 a.m. — Room 211

UluPono Initiative Strongly Supports HB 532 HD 1, Relating to Government Data

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

My name is Murray Clay and I am Managing Partner of UluPono Initiative, a Hawai'i-based impact investment firm that strives to improve the quality of life for the people of Hawai'i by working toward solutions that create more locally produced food; increase affordable, clean, renewable energy; and better manage waste and fresh water resources. UluPono believes that self-sufficiency is essential to our future prosperity and will help shape a future where economic progress and mission-focused impact can work hand in hand.

UluPono strongly supports HB 532 HD 1, which establishes a chief data officer and data task force, because it aligns with our goals.

In order to recommend and create strong policies, we believe it is vital to have open, consistent sources of data. Yet, in the sectors that UluPono works in – local food, renewable energy, transportation, waste, and water – government data sets are often outdated and difficult to procure.

Investing in data and making more informed decisions across government often leads to quality outcomes for enacted policies. For example, using data collected from the 'Aina Pono local food school lunch program, it helped demonstrate that the policy of investment in quality food and cafeteria efficiency led to greater profitability. This, in turn, gave private sector and non-profit contributors the justification to continually invest in this government program. Transparency in the outcome data further gave confidence to stakeholders while allowing quick action to solve problems early in the process.

Considering the State spends billions of dollars every year, greater data and transparency should lead to increased effectiveness as greater information can help demonstrate trends and upcoming issues. Investments in data are the bedrock to good governance. If not, the State will continue to open itself up to being penny wise and pound-foolish. Investing a relatively small amount of money upfront can result in significant long-term savings and efficiencies.

Investing in a Sustainable Hawai'i



As Hawai'i's issues become increasingly complex and challenging, we appreciate this committee's efforts to look at policies that improve the quality of life for the people of Hawai'i.

Thank you for this opportunity to testify.

Respectfully,

Murray Clay
Managing Partner

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: Senate Committee on Ways and Means

From: Cheryl Kakazu Park, Director

Date: March 28, 2019, 10:15 p.m.
State Capitol, Conference Room 211

Re: Testimony on H.B. No. 532, H.D. 1
Relating to Government Data

Thank you for the opportunity to submit testimony on this bill, which would create a Chief Data Officer (CDO) and a Data Task Force within the Office of Enterprise Services (ETS). The Office of Information Practices (OIP) supports the intent of this bill to increase availability of data held by state agencies both to the public at large and to other agencies, but **requests clarification of OIP's role in the development of data policies and procedures and has suggested an amendment** to the bill.

Currently, OIP is charged with assisting the Chief Information Officer (CIO) to develop open data policies and procedures, as those policies and procedures must take account of what information is or is not public under the Uniform Information Practices Act (UIPA), chapter 92F, HRS, which OIP administers. This bill would not remove OIP's statutory responsibility to assist, although the CIO's statutory role in administering open data would be assumed by the new CDO. However, the newly created Data Task Force would also be charged with assisting the CDO to develop open data policies and procedures. The CDO would be the chair of the Data Task Force and presumably would consult with it regarding open data

policies and procedures during its meetings, but since OIP is not represented on the Data Task Force as proposed by this bill, OIP would not be part of that process. Thus, it is not clear what OIP's role would be in the development of open data policies and procedures.

If the intent was to have OIP act as a resource for the CDO without the constraints the Sunshine Law (part I of chapter 92, HRS) would place on discussions between the CDO and another member of the Data Task Force outside a meeting, OIP would recommend amending this bill in the same way this Committee amended its companion, S.B. 1001, **to make OIP's director or the director's designee a nonvoting *ex officio* member of the Data Task Force who would not be counted toward quorum. This would clarify that OIP's representative was expected to attend and participate in discussions of open data policies and procedures during Data Task Force meetings, but OIP's representative would not be counted as a member for the purpose of the Sunshine Law's permitted interactions (which permit a strictly limited number of board members, typically less than a quorum, to discuss board business outside a meeting in specified circumstances). Thus, the CDO would still be able to consult with OIP's representative outside a meeting about whether information was considered public under the UIPA.** The following language, added to the end of the proposed subsection 27-44(d) (bill page 5), would accomplish this:

The director of the office of information practices or the director's designee shall serve as a nonvoting *ex officio* member of the task force and shall not be counted toward quorum.

THE CIVIL BEAT
LAW CENTER FOR THE PUBLIC INTEREST

700 Bishop Street, Suite 1701
Honolulu, HI 96813

Office: (808) 531-4000
Fax: (808) 380-3580
info@civilbeatlawcenter.org

Senate Committee on Ways and Means
Honorable Donovan M. Dela Cruz, Chair
Honorable Gilbert S.C. Keith-Agaran, Vice Chair

RE: Testimony in Support of H.B. 532 H.D. 1, Relating to Government Data
Hearing: March 28, 2019 at 10:15 a.m.

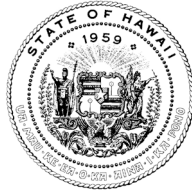
Dear Chair and Members of the Committee:

My name is Brian Black. I am the Executive Director of the Civil Beat Law Center for the Public Interest, a nonprofit organization whose primary mission concerns solutions that promote governmental transparency. Thank you for the opportunity to submit testimony **strongly supporting H.B. 532 H.D. 1.**

Progress toward more efficient and publicly accessible government requires personnel focused exclusively on government data. Open and transparent government data cannot be an afterthought or it will never happen. A chief data officer and data task force would be well-situated to ensure that Hawai'i has the appropriate infrastructure and policies to carry the State into a new era of more efficient, open, and data-driven government.

Thank you again for the opportunity to testify in **support** of H.B. 532 H.D. 1.

DAVID Y. IGE
GOVERNOR



DOUGLAS MURDOCK
CHIEF INFORMATION
OFFICER

OFFICE OF ENTERPRISE TECHNOLOGY SERVICES

P.O. BOX 119, HONOLULU, HI 96810-0119
Ph: (808) 586-6000 | Fax: (808) 586-1922
ETS.HAWAII.GOV



Testimony of
DOUGLAS MURDOCK
Chief Information Officer
Enterprise Technology Services

Before the

SENATE COMMITTEE ON TECHNOLOGY
Thursday, March 28, 2019

HOUSE BILL NO. 532, HD1
RELATING TO GOVERNMENT DATA

Dear Chair Dela Cruz, Vice Chair Keith Agaran and members of the committee:

The Office of the Enterprise Technology Services (ETS) supports House Bill No. 532, HD1, Government Data, which establishes a chief data officer and data task force within ETS to develop, implement, and manage statewide data set policies, procedures, and standards as long as it doesn't affect the priorities identified in the Governor's Executive Budget request.

Thank you for this opportunity to provide testimony on this bill.

TRANSFORM HAWAI'I GOVERNMENT

Every Citizen • Every Service • Every Island

March 28, 2019

Sen. Donovan M. Dela Cruz, Chair
Sen. Gilbert S.C. Keith-Agaran, Vice Chair
SENATE COMMITTEE ON WAYS AND MEANS
Conference Room 211
Hawai'i State Capitol
Honolulu, HI 96813

RE: Testimony in strong support of HB 532, HD1, Relating to Government

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Committee Members:

My name is Christine Sakuda and I serve as the executive director of Transform Hawai'i Government (THG), a coalition of organizations and individuals who believe in improving government services and business practices through technology to ensure that policymakers, State employees, local residents and businesses have convenient and secure access to reliable information and data on demand.

THG strongly supports House Bill 532, HD1, Relating to Government Data, which establishes a chief data officer and data task force to develop, implement, and manage statewide data policies, procedures, and standards.

Access to empirical data is essential to providing information to decision-makers, both within and external of government, so they are able to make informed decisions. Data governance is among the top 10 priorities among state chief information officers nationwide, according to the National Association of State Chief Information Officers (NASCIO).

In 2018, members of the Information Technology Steering Committee to include the State chief information officer, other government agencies and the public met to craft the State's IT strategic plan. Establishing a chief data officer was among their priorities.

In 2012, the State of Hawai'i launched its official data website, data.hawaii.gov, to increase public accessibility to public data. However, since then, data management continued in a decentralized manner typical of many state governments: fragmented, seldomly refreshed, hard to find and less than accessible. As a result, opportunities for integration are severely limited.

It is time to commit resources to update and develop a long-term vision, goals and objectives to enable all branches and departments of our State government to work together in a coordinated fashion and finally establish an open data strategy. This includes facilitating vital sharing of data between State agencies, where possible, so that data shared across agencies contributes to the effective, efficient, and transparent delivery of information resources and services.

HB 532, HD1 will ensure that sufficient and appropriate resources are available to develop policies and procedures to implement standards with the goal of making data sets available to decision-makers and data users, as intended under Section 27-44.3, Hawai'i Revised Statutes.

Thank you for the opportunity to provide testimony in support of this important bill.
Respectfully submitted,



Christine Sakuda
Executive Director
Transform Hawai'i Government
email: csakuda@TransformHawaiiGov.org

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: Senate Committee on Ways and Means

From: Cheryl Kakazu Park, Director

Date: March 28, 2019, 10:15 p.m.
State Capitol, Conference Room 211

Re: Testimony on H.B. No. 532, H.D. 1
Relating to Government Data

Thank you for the opportunity to submit testimony on this bill, which would create a Chief Data Officer (CDO) and a Data Task Force within the Office of Enterprise Services (ETS). The Office of Information Practices (OIP) supports the intent of this bill to increase availability of data held by state agencies both to the public at large and to other agencies, but **requests clarification of OIP's role in the development of data policies and procedures and has suggested an amendment** to the bill.

Currently, OIP is charged with assisting the Chief Information Officer (CIO) to develop open data policies and procedures, as those policies and procedures must take account of what information is or is not public under the Uniform Information Practices Act (UIPA), chapter 92F, HRS, which OIP administers. This bill would not remove OIP's statutory responsibility to assist, although the CIO's statutory role in administering open data would be assumed by the new CDO. However, the newly created Data Task Force would also be charged with assisting the CDO to develop open data policies and procedures. The CDO would be the chair of the Data Task Force and presumably would consult with it regarding open data

policies and procedures during its meetings, but since OIP is not represented on the Data Task Force as proposed by this bill, OIP would not be part of that process. Thus, it is not clear what OIP's role would be in the development of open data policies and procedures.

If the intent was to have OIP act as a resource for the CDO without the constraints the Sunshine Law (part I of chapter 92, HRS) would place on discussions between the CDO and another member of the Data Task Force outside a meeting, OIP would recommend amending this bill in the same way this Committee amended its companion, S.B. 1001, **to make OIP's director or the director's designee a nonvoting *ex officio* member of the Data Task Force who would not be counted toward quorum. This would clarify that OIP's representative was expected to attend and participate in discussions of open data policies and procedures during Data Task Force meetings, but OIP's representative would not be counted as a member for the purpose of the Sunshine Law's permitted interactions (which permit a strictly limited number of board members, typically less than a quorum, to discuss board business outside a meeting in specified circumstances). Thus, the CDO would still be able to consult with OIP's representative outside a meeting about whether information was considered public under the UIPA.** The following language, added to the end of the proposed subsection 27-44(d) (bill page 5), would accomplish this:

The director of the office of information practices or the director's designee shall serve as a nonvoting *ex officio* member of the task force and shall not be counted toward quorum.

LATE

HB-532-HD-1

Submitted on: 3/27/2019 8:47:46 PM

Testimony for WAM on 3/28/2019 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Democrats Legislative Priorities Committee	Support	No

Comments: