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BOARD MEMBER

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD
830 PUNCHBOWL STREET, ROOM 434
HONOLULU, HAWAII 96813

Phone (808) 586-8610 / FAX (808) 586-8613
Email: dlir.laborboard@hawaii.gov

Chair Lee, Vice Chair San Buenaventura, and Members of the Committee:

The Hawai'i Labor Relations Board (HLRB or Board) recognizes the intent of SB 757 SD 2 HD 1 and supports public access and transparency in government. **The HLRB respectfully requests the Committee's consideration of the Board's comments in support of SB 757 SD 2 HD 1.**

The current language of SB 757 SD 2 HD 1 addresses the concerns that the HLRB has regarding the previous draft of the bill. Specifically, the HLRB is concerned that the original draft of the bill requiring public access to all documents filed by parties appearing before the Board could result in the disclosure of personal and confidential information. Further, the HLRB is concerned that as originally drafted, SB 757 would require funding for additional staff, training, and software to implement the bill.

The current draft of the bill, SB 757 SD 2 HD 1, which requires that the HLRB maintain a website with a list of open cases that are not confidential by law, addresses the Board's privacy concerns. Furthermore, SB 757 SD 2 HD 1 eliminates the Board's need for additional funding, as the requirements of the bill would not necessitate additional staff, software, or training to implement.

Thank you for your time and consideration of the HLRB's comments in support of SB 757 SD 2 HD 1.

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
JUDICIARY**

**Tuesday, March 19, 2019
2:05 PM
State Capitol, Conference Room 325**

**In consideration of
SENATE BILL 757, SENATE DRAFT 2, HOUSE DRAFT 1
RELATING TO ADMINISTRATIVE PROCEDURE**

Senate Bill 757, Senate Draft 2, House Draft 1 proposes to require each agency to maintain a website that contains a list of the agency's active contested cases that are not confidential by law. **The Department of Land and Natural Resources (Department) supports this measure as currently drafted.**

The Department believes that the current draft is the most efficient method and should sufficiently fulfill the stated purpose of this bill. By posting a list of all active contested cases online, an agency will provide adequate notice to the public of its ongoing proceedings and increase transparency and accountability in the contested case process. If a member of the public intends to gain access to the filings in a particular contested case, they can then file a request under the Uniform Information Practices Act, Chapter 92F, Hawaii Revised Statutes, to achieve that.

Unlike the original bill, this draft will not create an undue burden on the agencies, which may significantly increase the time and cost of a contested case process and cause delays. Nor will it risk compromising confidential information of private parties that are involved in a contested case process.

Thank you for the opportunity to testify on this measure.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 • PHONE: 586-8636 • FAX: 586-8655 • TDD: 568-8692

March 19, 2019
Rm. 325, 2:05 p.m.

To: Hon. Chris Lee, Chair
Hon. Joy A. San Buenaventura, Vice Chair
Members of the House Committee on Judiciary

From: Linda Hamilton Krieger, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: S.B. No. 757, S.D. 2, H.D. 1

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

S.B. No. 757, S.D. 2, H.D. 1, amends H.R.S. § 91-9 to require agencies to maintain a website with a list of open contested cases that are not confidential by law.

The HCRC supports this measure, with the amendments in S.D.1 and S.D. 2. We support public access, and our contested case proceedings and files are open to the public. Adding a list of open cases to our website is not burdensome.

The HCRC supports S.B. No. 757, S.D. 2, H.D. 1.

DAVID Y. IGE
GOVERNOR

JOSH GREEN
LIEUTENANT GOVERNOR



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DIRECTOR

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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 18, 2019

To: The Honorable Chris Lee, Chair,
The Honorable Joy A. San Buenaventura, Vice Chair, and
Members of the House Committee on Judiciary

Date: Tuesday, March 19, 2019

Time: 2:05 p.m.

Place: Conference Room 325, State Capitol

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

Re: S.B. No. 757 S.D. 2 H.D. 1 RELATING TO ADMINISTRATIVE PROCEDURE

Chair Lee, Vice Chair San Buenaventura, and members of the Committee, my name is Scott Murakami, and I am the Director of Labor and Industrial Relations.

The DLIR supports the HD1 of this measure that promotes transparency, open government, and public access to government records. The measure in its current amended form addresses the Department's concerns about personal and confidential information disclosure as well as the potential impacts on staffing and resources.

Thank you for the opportunity to testify on this important matter.