

HAWAI‘I CIVIL RIGHTS COMMISSION

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

March 31, 2021
Rm. 308, 1:30 p.m.
via Videoconference

To: The Honorable Sylvia Luke, Chair
The Honorable Ty J.K. Cullen, Vice Chair
Members of the House Committee on Finance

From: Liann Ebesugawa, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: S.B. No. 873, S.D.1, 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.

The HCRC supports S.B. No. 873, S.D.1, H.D.1, which amends H.R.S. § 91-9 to allow the use of interactive conference technology for contested case hearings.

The courts have successfully been using interactive conference technology throughout the pandemic. Many agencies have held board meetings using remote interactive conference technology, and some have used it for hearings. The HCRC supports the continued use of interactive conference technology for hearings, particularly as Hawai‘i is an island state and this will decrease the need for travel between islands. The bill does not mandate the use of remote technology, so hearings may still be held in person as needed.

The HCRC supports S.B. No. 873, S.D.1, H.D.1.

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

JOSH GREEN
LT. GOVERNOR
STATE OF HAWAII



WILLIAM J. AILA, JR.
CHAIRMAN
HAWAIIAN HOMES COMMISSION

TYLER I. GOMES
DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1879
HONOLULU, HAWAII 96805

TESTIMONY OF WILLIAM J. AILA, JR, CHAIRMAN
HAWAIIAN HOMES COMMISSION
BEFORE THE HOUSE COMMITTEE ON FINANCE
HEARING ON MARCH 31, 2021 AT 2:30PM VIA VIDEOCONFERENCE

SB 873, SD1, HD1, RELATING TO CONTESTED CASES

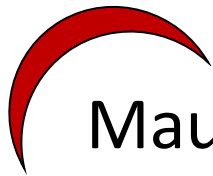
March 31, 2021

Aloha Chair Luke, Vice Chair Cullen, and members of the Committee:

The Department of Hawaiian Home Lands (DHHL) strongly supports this bill that authorizes contested case hearings to use interactive conference technology. This bill was approved by the Hawaiian Homes Commission (HHC) and included in the Governor's administrative package by request of our department.

The use of interactive conference technology is becoming more common. The HHC holds contested case hearings on certain islands on an annual basis when the HHC is conducting its meeting on island. Allowing contested case hearings to be held via interactive conference technology could allow for hearings to be held on a more timely basis allowing for greater efficiency.

Thank you for your consideration of our testimony.



Maunakea Observatories

To: Representative Sylvia Luke, Chair
Representative Ty Cullen, Vice-Chair
Committee on Finance

From: Maunakea Observatories

Subj: **SB 873 SD1 HD1 Relating to Contested Cases – In Support**
March 31, 2021; 2:30 p.m.; Via Videoconference

Date: March 29, 2021

Aloha Chair Luke, Vice Chair Cullen and Members of the Committee,

Through this letter the Maunakea Observatories **support** SB 873 SD1 HD1 which would authorize contested case hearings to be conducted through the use of interactive conference technology.

The Maunakea Observatories are supportive of efforts to improve the timeliness of fair and just resolutions to BLNR land use decisions. As SB 873 SD1 HD1 states, “more efficient, yet still effective, contested case hearings can be conducted by interactive conference technology, which is already being utilized for public meetings in accordance with section 92-3.5, Hawaii Revised Statutes.” Improving the efficiency of contested cases will provide for more timely decision-making, while achieving the important objective of providing access for the public to have their voices heard.

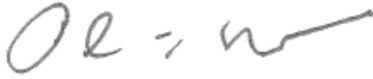
The timeliness concern is pertinent to the observatories in the following way: the current Master Lease for the Mauna Kea Science Reserve expires at the end of 2033, and the timely renewal of this land authorization, reflecting a long-term commitment by the State of Hawai'i to support astronomy, is essential. Everything from facility upgrades to new instrumentation and long-term operations planning depend on timely decisions. Continued support from numerous international federal funding agencies and research institutions which sponsor the Maunakea Observatories, including the US National Science Foundation, Canadian National Research Council, NASA, MEXT of Japan, and universities, also depends on timely decisions.

Thank you for the opportunity to provide testimony in support.

Mahalo,



Director Doug Simons, Canada-France-Hawaii Telescope



Director Paul Ho, James Clerk Maxwell Telescope (East Asian Observatory)



Director John Rayner, NASA Infrared Telescope Facility



Director Michitoshi Yoshida, Subaru Telescope



Director Hilton Lewis, W.M. Keck Observatory (Keck I and Keck II)

SB-873-HD-1

Submitted on: 3/29/2021 12:45:24 PM

Testimony for FIN on 3/31/2021 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl B.	Individual	Comments	No

Comments:

Comments:

I stand on my previous testimony. Adding: While this seems to be a very straightforward bill about giving the public opportunity to testify in contested case hearings with the use of technology, there is a small amount of distrust that this is the entire purpose of this bill. Looking at the other testimonies submitted, there seems to be a direct link to Hawaiian `Ä• ina issues for example. There seems to be an opinion that the people using a contested case might be loud or cause disruption. It seems to offer a biased view of contested case from the start? Wishing to go on the record that this bill is being watched for changes in wording or interpretation.