

OFFICE OF THE LIEUTENANT GOVERNOR
STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

BRIAN E. SCHATZ
LIEUTENANT GOVERNOR

**THE SENATE COMMITTEE ON WAYS AND MEANS
HOUSE COMMITTEE ON FINANCE
BUDGET BRIEFING FOR FISCAL YEAR 2012-2012**

OFFICE OF THE LIEUTENANT GOVERNOR, PROGRAM ID LTG100

MISSION STATEMENT

A core mission of the Lieutenant Governor is to act in place of the Governor when the Governor is out of state (Article V, Section 4 of the Hawaii State Constitution). Accordingly, the Lieutenant Governor must be in constant communication with the Governor and his staff to ensure that he can effectively carry out the necessary functions of the office during these absences.

Pursuant to Section 26-1 of the Hawai'i Revised Statutes, another core function of the Office of the Lieutenant Governor is to serve as Secretary of State for intergovernmental relations. In this role, the Lieutenant Governor is charged with directing and performing a multitude of activities for the general public which are administrative and coordinative in nature. These activities include: processing name changes, authentication of documents, sale and distribution of official state publications, compilation of administrative rules, compilation of legislative acts and monitoring of state open meeting laws.

Section 26-1 also indicates that, "the governor shall identify and direct other duties as necessary to the lieutenant governor." In the current administration, the Governor has asked Lieutenant Governor Schatz to develop and administer the "Hawaii Fair Share Initiative," a program geared towards maximizing the flow of federal and other external dollars into the State of Hawai'i. In the last year, the Lieutenant Governor, the Hawai'i Fair Share Initiative director and other staff have worked collaboratively and strategically with state agencies and other organizations in an effort to make the State of Hawai'i as efficient and competitive as possible for grant opportunities given the changing and unclear federal budget climate.

This office also supported the Lieutenant Governor's role as the state liaison to the Asia Pacific Economic Cooperation 2011 leaders' meeting (APEC) held here in Honolulu in November. In an effort to continue the momentum generated from APEC, the Governor has asked the Lieutenant Governor to work collaboratively with other state agencies and the private sector to develop economic opportunities for Hawai'i within the Asia-Pacific region.

Finally, the Lieutenant Governor provides administrative support to the Office of Information Practices (OIP), an agency attached to the Office of the Lieutenant Governor.

Economic Impact

Pursuant to Act 164 of the last legislative session, the Office of the Lieutenant Governor's current allocation for FY 2012-2013 is \$646,188 (which amount is subject to an additional labor savings reduction equal to \$16,284). Essentially, this is the same budget that was appropriated for this office in the last year of the prior administration, which amounted to a 22% budget reduction thereby resulting in a 30% reduction of this office's workforce.

Alternatives Considered

Please discuss the actions that your department has taken in the following areas:

1. Generating additional revenue for the state. The Administration has no plan to increase fees for services provided by this office.

The Hawai'i Fair Share Initiative has been working with various state departments to maximize external revenue coming into the state.

2. Shifting general funded operational costs to non-general funds. The office does not receive any non-general fund appropriations.
3. Outsourcing activities performed by eliminated personnel. None.
4. Consolidation or elimination of programs within your department. The office does not have attached programs that can be considered for consolidation or elimination.

Department of Office of the Lieutenant Governor
 Department-Wide Budget Summary

Table 1

| Fiscal Year 2012 | | | | | |
|-----------------------------|----------------|----------------------------|---------------|-------|--|
| Act 164/11 Appropriation | Restriction | Emergency Appropriation | Total FY12 | MOF | |
| \$ 646,188.00 | \$ (16,284.00) | | \$ 629,904.00 | A | |
| | | | | B | |
| | | | | N | |
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| | | | | T | |
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| | | | | V | |
| | | | | W | |
| | | | | X | |
| \$ 646,188.00 | \$ (16,284.00) | \$ - | \$ 629,904.00 | Total | |
| Fiscal Year 2013 | | | | | |
| Act 164/11 Appropriation | Reductions | Additions | Total FY13 | MOF | |
| \$ 646,188.00 | \$ (16,284.00) | | \$ 629,904.00 | A | |
| | | | | B | |
| | | | | N | |
| | | | | R | |
| | | | | S | |
| | | | | T | |
| | | | | U | |
| | | | | V | |
| | | | | W | |
| | | | | X | |
| \$ 646,188.00 | \$ (16,284.00) | \$ - | \$ 629,904.00 | Total | |

Department of Office of the Lieutenant Governor
 Prioritized List of Functions

Table 2

| Pri # | Description of Function | Activities | Prog ID(s) | Statutory Reference |
|-------|---|--|------------|---|
| 1 | The Lieutenant Governor serves in his capacity on a full-time basis and performs such duties as provided law. Lieutenant Governor also acts in place of the Governor in the event of the Governor's absence from the State. | | LTG100 | Article V, Section 4 of the Hawaii State Constitution |
| 2 | The Lieutenant Governor is also designated Secretary of State for intergovernmental relations. | In this capacity, the Lieutenant Governor directs and performs varied activities which are required by law, including: name changes, authentication of documents, sale of official state publications, compilation of administrative rules, compilation of legislative acts and monitoring of state open meeting laws. Evaluations by the Lieutenant Governor and his staff are performed to ensure projects goals are achieved. | LTG100 | HRS Section 26-1 |
| 3 | The Lieutenant Governor also performs duties and undertakes projects assigned by the Governor. | At this time, these duties have centered on economic revitalization through the development and implementation of the Hawai'i Fair Share Initiative, and by working collaboratively with various state agencies and the private sector to develop economic opportunities for Hawai'i post-APEC within the Asia-Pacific region. | LTG100 | HRS Section 26-1 |
| 4 | The Lieutenant Governor provides administrative support to the agencies attached to this office which include: The Office of Information Practices. | | LTG100 | HRS Section 26-1 |

Department of Office of the Lieutenant Governor
Resources by Program ID

Table 3

| Prog ID | Program Title | MOF | As budgeted in Act 164/11 (FY12) | | | Governor's Submittal (FY13) | | | Percent Change of \$\$\$ |
|---------|-----------------------------------|-----|----------------------------------|---------|------------|-----------------------------|---------|-------------|--------------------------|
| | | | Pos (P) | Pos (T) | \$\$\$ | Pos (P) | Pos (T) | \$\$\$ | |
| LTG100 | Office of the Lieutenant Governor | A | 3.00 | 8.00 | \$ 646,188 | 3.00 | 8.00 | \$ (16,284) | -2.5% |

Department of Office of the Lieutenant Governor
 Current Year (FY12) Restrictions

Table 4

| <u>Prog ID</u> | <u>MOF</u> | <u>Restriction</u> | <u>Percent of Act 164/11</u> | <u>Impact</u> |
|----------------|------------|-----------------------|------------------------------|---|
| LTG100 | A | \$\$\$ \$ (16,284) | Appropriation -2.5% | Reduction in overall payroll allotment. |

Department of Office of the Lieutenant Governor
Proposed Budget Reductions

Table 5

| <u>Request Category</u> | <u>Prog ID</u> | <u>Description of Reduction</u> | <u>MOF</u> | <u>Pos (P) FY13</u> | <u>Pos (T) FY13</u> | <u>\$\$\$\$ FY13</u> | <u>Carry-over? (Y/N)</u> |
|-------------------------|----------------|---|------------|---------------------|---------------------|----------------------|--------------------------|
| | LTG100 | Labor savings | A | - | - | \$ (16,284) | N |
| | | Impact of Reduction | | | | | |
| | | Reduction in overall payroll allotment. | | | | | |

Department of Office of the Lieutenant Governor
Proposed Supplemental Year Additions

Table 6

| <u>Request Category</u> | <u>Prog ID</u> | <u>Description of Addition</u> | <u>Explanation</u> | <u>MOF</u> | <u>Pos (P) FY13</u> | <u>Pos (T) FY13</u> | <u>\$\$ FY13</u> |
|-------------------------|----------------|--------------------------------|--------------------|------------|-------------------------|-------------------------|----------------------|
| | LTG100 | None. | None. | A | - | - | \$ - |

Department of Office of the Lieutenant Governor
 Non-General Fund Balances

Table 7

| <u>Name of Fund</u> | <u>Statutory Reference</u> | <u>MOF</u> | <u>Beginning FY12 Unencumbered Cash Balance</u> | <u>Estimated FY12 Revenues</u> | <u>Estimated FY12 Expenditures and Encumbrances</u> | <u>Estimated FY12 Net Transfers</u> | <u>Estimated FY12 Ending Unencumbered Cash Balance</u> | <u>Balance in Excess of Program Needs</u> |
|---------------------|----------------------------|------------|---|--------------------------------|---|-------------------------------------|--|---|
| None. | | | | | | | | |

Department of Office of the Lieutenant Governor
 Emergency Appropriation Requests

Table 8

| <u>Prog ID</u> | <u>Description of Request</u> | <u>MOF</u> | <u>Pos (P) FY12</u> | <u>Pos (T) FY12</u> | <u>\$\$\$ FY12</u> |
|----------------|-------------------------------|------------|-------------------------|-------------------------|--------------------|
| LTG100 | None. | A | - | - | \$ - |

Department of Office of the Lieutenant Governor
Budget Decisions

Table 9

| Prog ID | Description | MOF | Initial Department Request | | Budget and Finance Recommendation | | Governor's Decision | | | | | |
|---------|---------------|-----|----------------------------|---------|-----------------------------------|---------|---------------------|---------|---|--------|--------|-------------|
| | | | Pos (P) | Pos (T) | Pos (P) | Pos (T) | Pos (P) | Pos (T) | | | | |
| LTG100 | Labor Savings | A | - | - | - | \$ | (16,284.00) | - | - | \$\$\$ | \$\$\$ | (16,284.00) |

Department of Office of the Lieutenant Governor
 Program Review Proposals

Table 10

| Prog ID | Description | MOF | | Budget and Finance Proposal | | Department Proposal | | Governor's Final Decision | |
|---------|-------------|---------|---------|-----------------------------|---------|---------------------|---------|---------------------------|---------|
| | | Pos (P) | Pos (T) | Pos (P) | Pos (T) | Pos (P) | Pos (T) | Pos (P) | Pos (T) |
| LTG100 | None. | A | - | \$ | - | --- | --- | --- | --- |

Department of Office of the Lieutenant Governor
 Position Vacant as of November 30

Table 11

| Prog ID | Date of Vacancy | Position Number | Position Title | SR Level | BU Code | Temp Perm (T/P) | FTE | MOF | Budgeted Amount | Actual Salary Last Paid | Exempt (Y/N) | Authority to Hire (Y/N) | Occupied by 89 Day Hire (Y/N) |
|---------|-----------------|-----------------|----------------|----------|---------|-----------------|------|-----|-----------------|-------------------------|--------------|-------------------------|-------------------------------|
| LTG100 | 7/1/2011 | 112916 | Public Liaison | SRNA | 73 | T | 1.00 | | \$ 67,000 | \$ 50,247 | Y | Y | N |

Department of Office of the Lieutenant Governor

Table 12

Personnel Separations

| <u>Prog ID/Org</u> | <u>Separation Date</u> | <u>Position Number</u> | <u>Position Title</u> | <u>SR Level</u> | <u>BU Code</u> | <u>T/P</u> | <u>MOF</u> | <u>Budgeted FTE</u> | <u>Budgeted Salary</u> | <u>Actual FTE</u> | <u>Actual Salary</u> |
|--------------------|--|------------------------|-----------------------|-----------------|----------------|------------|------------|---------------------|------------------------|-------------------|----------------------|
| LTG100 | 12/6/2010 | 100300 | Lieutenant Governor | SRNA | 0 | P | A | 1.00 | \$ 144,420 | 1.00 | \$ 109,327 |
| LTG100 | 12/6/2010 | 100455 | Chief of Staff | SRNA | 93 | P | A | 1.00 | \$ 85,000 | 1.00 | \$ 77,151 |
| LTG100 | 12/6/2010 | 100144 | Exec Asst II to LG | SRNA | 93 | P | A | 1.00 | \$ 56,508 | 1.00 | \$ 51,292 |
| LTG100 | 12/6/2010 | 112912 | Senior Advisor - Comm | SRNA | 93 | T | A | 1.00 | \$ 67,000 | 1.00 | \$ 60,812 |
| LTG100 | 12/6/2010 | 112916 | Public Liaison | SRNA | 73 | T | A | 1.00 | \$ 54,000 | 1.00 | \$ 49,016 |
| LTG100 | 12/6/2010 | 101153 | Admin Svcs Spcpl | SRNA | 73 | T | A | 1.00 | \$ 45,000 | 1.00 | \$ 40,847 |
| LTG100 | 12/6/2010 | 118001 | Admin Asst II | SRNA | 63 | T | A | 1.00 | \$ 40,000 | 1.00 | \$ 36,304 |
| LTG100 | 12/6/2010 | 118003 | Admin Asst I | SRNA | 63 | T | A | 1.00 | \$ 30,000 | 1.00 | \$ 27,231 |
| LTG100 | 12/6/2010 | 118004 | Admin Asst I | SRNA | 63 | T | A | 1.00 | \$ 40,000 | 1.00 | \$ 36,304 |
| LTG100 | 5/18/2011 | 118002 | Admin Asst I | SRNA | 63 | T | A | 1.00 | \$ 30,000 | 0.50 | \$ 15,000 |
| LTG100 | 6/30/2011 | 112916 | Public Liaison | SRNA | 73 | T | A | 1.00 | \$ 67,000 | 0.75 | \$ 50,247 |
| LTG100 | 6/30/2011 | 118004 | Admin Asst I | SRNA | 63 | T | A | 1.00 | \$ 40,000 | 1.00 | \$ 31,667 |
| Notes: | The Deputy Chief of Staff was initially placed in Position No. 112916 because no such position existed for LTG 100 in the prior administration | | | | | | | | | | |
| | Another position was later redefined for a Deputy Chief of Staff through DHRD, and therefore, that employee vacated Position No. 112916 and assumed the new Position No. | | | | | | | | | | |
| | Position No. 118004 was eliminated in the last legislative session. | | | | | | | | | | |
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Department of Office of the Lieutenant Governor
New Hires

Table 13

| Prog ID/Org | New Hire Effective Date | Position Number | Position Title | SR Level | BU Code | I/P | MOF | Budgeted FTE | Budgeted Salary | Actual FTE | Actual Salary |
|---|-------------------------|-----------------|------------------------------|----------|---------|-----|-----|--------------|-----------------|------------|---------------|
| LTG100 | 7/1/2010 | 112912 | Senior Advisor - Comm | SRNA | 93 | T | A | 1.00 | \$ 67,000 | 1.00 | \$ 60,812 |
| LTG100 | 12/6/2010 | 100300 | Lieutenant Governor | SRNA | 0 | P | A | 1.00 | \$ 114,420 | 1.00 | \$ 114,420 |
| LTG100 | 12/6/2010 | 100455 | Chief of Staff | SRNA | 93 | P | A | 1.00 | \$ 82,000 | 1.00 | \$ 78,000 |
| LTG100 | 12/6/2010 | 112916 | Public Liaison | SRNA | 73 | T | A | 1.00 | \$ 67,000 | 0.75 | \$ 50,247 |
| LTG100 | 12/6/2010 | 101153 | Admin Svcs Spclt | SRNA | 73 | T | A | 1.00 | \$ 45,000 | 1.00 | \$ 42,750 |
| LTG100 | 1/3/2011 | 112912 | Senior Advisor | SRNA | 93 | T | A | 1.00 | \$ 82,000 | 1.00 | \$ 78,000 |
| LTG100 | 1/18/2011 | 118005 | Dir HI Fair Share Initiative | SRNA | 73 | T | A | 1.00 | \$ 82,000 | 1.00 | \$ 78,000 |
| LTG100 | 1/19/2011 | 118002 | Admin Asst I | SRNA | 63 | T | A | 1.00 | \$ 30,000 | 0.50 | \$ 15,000 |
| LTG100 | 1/24/2011 | 118001 | Special Asst Policy | SRNA | 63 | T | A | 1.00 | \$ 57,000 | 1.00 | \$ 54,150 |
| LTG100 | 2/17/2011 | 118004 | Admin Asst I | SRNA | 63 | T | A | 1.00 | \$ 40,000 | 1.00 | \$ 31,667 |
| LTG100 | 3/11/2011 | 118003 | Dir Communications | SRNA | 63 | T | A | 1.00 | \$ 65,000 | 0.50 | \$ 30,875 |
| LTG100 | 7/1/2011 | 100144 | Deputy Chief of Staff | SRNA | 73 | P | A | 1.00 | \$ 67,000 | 0.75 | \$ 50,247 |
| LTG100 | 7/1/2011 | 118002 | Admin Asst I | SRNA | 63 | T | A | 1.00 | \$ 40,000 | 1.00 | \$ 31,667 |
| LTG100 | 10/3/2011 | 118006 | Special Asst | SRNA | 63 | T | A | 1.00 | \$ 27 | 1.00 | \$ 27 |
| Notes: | | | | | | | | | | | |
| Position No. 118004 was eliminated in the last legislative session. The employee assigned to that ID was moved to another position (N | | | | | | | | | | | |
| The Deputy Chief of Staff moved from Position No. 112916 (Public Liaison) to Position No. 100144 when the latter was redefined as a Deputy Chief of Staff position. | | | | | | | | | | | |
| Position No. 118006 is paid hourly. | | | | | | | | | | | |
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Department of Office of the Lieutenant Governor
RIF Related Grievances

Table 14

| <u>Prog ID/Org</u> | <u>Position Number</u> | <u>Position Title</u> | <u>SR Level</u> | <u>BU</u> | <u>T/P</u> | <u>MOF</u> | <u>FTE</u> | <u>RIF Date</u> | <u>Grievance Date</u> | <u>Current Status</u> |
|--------------------|------------------------|-----------------------|-----------------|-----------|------------|------------|------------|-----------------|-----------------------|-----------------------|
| LTG100 | | None. | | | | | | | | |

Department of Office of the Lieutenant Governor
Expenditures Exceeding Appropriation Ceilings

Table 15

| <u>Prog ID</u> | <u>MOF</u> | <u>Date of Increase</u> | <u>Appropriation Ceiling</u> | <u>Amount Exceeding Appropriation</u> | <u>Increase Percent</u> | <u>Reason for Exceeding Ceiling</u> | <u>Recurring (Y/N)</u> | <u>GF Impact (Y/N)</u> |
|----------------|------------|-------------------------|------------------------------|---------------------------------------|-------------------------|-------------------------------------|------------------------|------------------------|
| | | | | | None. | | | |

Department of Office of the Lieutenant Governor
Federal Grants

Table 16

| <u>Prog ID</u> | <u>CFDA No.</u> | <u>Award Description</u> | <u>Awarding Federal Agency</u> | <u>Anticipated or Actual Date of Award</u> | <u>Anticipated or Actual Award Amount</u> | <u>State Fiscal Year</u> | <u>State Matching Requirement or Other Commitment (Describe)</u> | <u>Anticipated Reduction or Discontinuance (Y/N)</u> | <u>Comments</u> |
|----------------|-----------------|--------------------------|--------------------------------|--|---|--------------------------|--|--|-----------------|
| LTG100 | | | | | | | | | None. |

Department of Office of the Lieutenant Governor
 Intradepartmental Transfer of Funds

Table 17

| <u>Anticipated or Actual Date of Transfer</u> | <u>MOF</u> | <u>Amount of Transfer</u> | <u>From Prog ID</u> | <u>Percent of Imparting Program ID Appropriation</u> | <u>To Prog ID</u> | <u>Percent of Receiving Program ID Appropriation</u> | <u>Reason for Transfer</u> | <u>Recurring (Y/N)</u> |
|---|------------|-------------------------------|-------------------------|--|-----------------------|--|----------------------------|----------------------------|
| | | | | | | | None. | |

Department of Office of the Lieutenant Governor
 Interdepartmental Transfer of Funds

Table 18

| Anticipated or Actual Date of Transfer | MOF | Amount of Transfer | From Program ID | Percent of Imparting Program ID Appropriation | To Program ID | Percent of Receiving Program ID Appropriation | Transfer Category | Reason for Transfer (O - Other) | Recurring (Y/N) |
|--|-----|--------------------|-----------------|---|---------------|---|-------------------|---------------------------------|-----------------|
| 9/23/2011 | A | \$ 16,284 | LTG100 | 2.5% | BUF741 | 0.0% | LS | Funds for labor savings. | N |

Department of Office of the Lieutenant Governor
Active Contracts

Table 19

| Prog ID | MOE | Amount | Frequency (M/A/O) | Max Value | Outstanding Balance | Date Executed | Term of Contract | | Organization | Category G/S/E/L | Description | Explanation of How Contract is Monitored | POS Y/N |
|---------|-----|--------|----------------------|--------------|------------------------|------------------|------------------|----|--------------|---------------------|-------------|--|------------|
| | | | | | | | From | To | | | | | |
| LTG100 | | | | | | | | | | | | | |

None.

Department of Office of the Lieutenant Governor
CIP Summary

Table 20

| <u>Priority</u> | <u>Project Title</u> | <u>FY13 \$\$\$</u> | <u>MOF</u> |
|-----------------|----------------------|--------------------|------------|
| None. | | | |

Department of Office of the Lieutenant Governor
 Division Resources

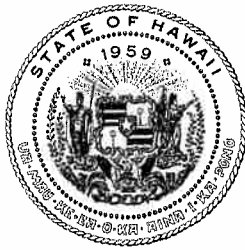
Table 21

| <u>Division</u> | <u>Associated Program IDs</u> | | | |
|-----------------|-------------------------------|--|--|--|
| None. | | | | |

Department of xxx
 Organization Changes

Table 22

| <u>Year of Change</u> FY12/FY13 | <u>Page Number</u> | <u>Description of Change</u> |
|------------------------------------|--------------------|-----------------------------------|
| | | Organizational Chart is attached. |



NEIL ABERCROMBIE
GOVERNOR

BRIAN SCHATZ
LIEUTENANT GOVERNOR

STATE OF HAWAII
OFFICE OF THE LIEUTENANT GOVERNOR
OFFICE OF INFORMATION PRACTICES

CHERYL KAKAZU PARK
DIRECTOR

NO. 1 CAPITOL DISTRICT BUILDING
250 SOUTH HOTEL STREET, SUITE 107
HONOLULU, HAWAII 96813
Telephone: (808) 586-1400 FAX: (808) 586-1412
E-MAIL: oip@hawaii.gov
www.hawaii.gov/oip

SENATE COMMITTEE ON WAYS AND MEANS
HOUSE COMMITTEE ON FINANCE

INFORMATIONAL BRIEFING TESTIMONY
FOR FISCAL BIENNIUM 2011-2013
BY CHERYL KAKAZU PARK, DIRECTOR
(Program ID LTG105IA)

January 5, 2012

Honorable Chairs Ige and Oshiro, and Members of the Committees:

I am Cheryl Kakazu Park, Director of the Office of Information Practices. I am here today to present OIP's informational budget briefing for the Fiscal Biennium 2011-2013.

Mission Statement

OIP's broad mission is to provide legal guidance and assistance to the public as well as to all state and county boards and agencies in the application of Hawaii's open government laws: (1) the Uniform Information Practices Act (Modified) ("UIPA"), HRS chapter 92F, providing public access to government records; and (2) the "Sunshine Law," HRS chapter 92, requiring open access to public meetings and decisionmaking.

OIP's duties include assisting the public in obtaining access to government records, unless withholding is allowed by law; assisting government agencies and boards in complying with the UIPA and Sunshine Law; providing formal and informal legal guidance under both laws to the public or to governmental entities; investigating and resolving complaints relating to the public's access to and participation in government board meetings under the Sunshine Law; ruling on appeals of denials of access to records under the UIPA as an alternative method to court appeal for members of the public; keeping government accountable to individuals in the collection, use and dissemination of information about them; providing education under both laws to inform the public of their rights and the procedures for exercising those rights; providing education and training to government boards and agencies regarding their responsibilities under, and compliance with, the Sunshine Law, the UIPA, and OIP's administrative rules.

Context

The current fiscal conditions had resulted in a delay in filling a staff attorney position within OIP until three months into this current fiscal year. Because a staff attorney position had been largely unfilled since FY 2008 due to budget restrictions, and in light of the previous furloughs, OIP has had difficulty reducing its backlog of approximately 90 cases.

Alternatives considered

OIP only receives general funds and is unable to shift costs to non-general funds.

Rather than eliminating programs, OIP has prioritized the use of its limited resources to provide assistance to the broadest range of individuals, boards, and agencies requesting OIP's services. OIP provides timely assistance primarily through its attorney of the day service, where a staff attorney will informally answer questions and provide general advice, usually on the same day of the inquiry. More time-consuming activities, such as investigations and opinions, are prioritized according to the date of the request, the complexity of the issues, and the time-sensitivity of the issues. Cases involving similar issues or parties may be clustered for resolution by the same staff attorney, and abbreviated legal opinions or correspondence may be issued where appropriate. Formal legal opinions are written to provide guidance on matters not previously addressed by OIP in a published opinion, and as OIP's staff resources allow.

OIP has also placed a greater emphasis on training government employees, officials, and attorneys in order to prevent problems from arising in the first place. OIP is using technology to efficiently leverage its limited resources and recently posted on its website three training videos to provide the same educational content that it formerly presented in person. The videos are now readily available 24/7 to all government agencies as well as members of the public, and they will reduce the need for OIP to provide this basic training in person, thus allowing OIP to focus on providing more specialized and advanced in-person training.

For example, OIP recently conducted in-person workshops on how to write meeting agendas and minutes, using participants' own materials, so as to make the learning experience much more relevant and valuable to them. Moreover, OIP conducted seminars using new courses that provided continuing legal education ("CLE") credits for attorneys, which were attended by over 265 government attorneys on Oahu, Maui, and the Big Island. OIP has thus effectively leveraged its 3.5 staff attorneys by training the key legal advisors to the hundreds of state and county government boards and agencies, who then assist OIP in obtaining proper and voluntary compliance with the open government laws. Notably, OIP has been able to provide neighbor island in-person training by partnering with other agencies or organizations to pay for OIP's travel costs. Additionally, OIP's free CLE courses are estimated to have saved the state and county agencies over \$26,000 in course fees that a private provider may have charged.

OIP has updated old materials and produced new written materials to provide legal and practical guidance on how to comply with the open government laws. By placing these materials on OIP's

website, printing costs have been nearly eliminated and the materials are more readily accessible.

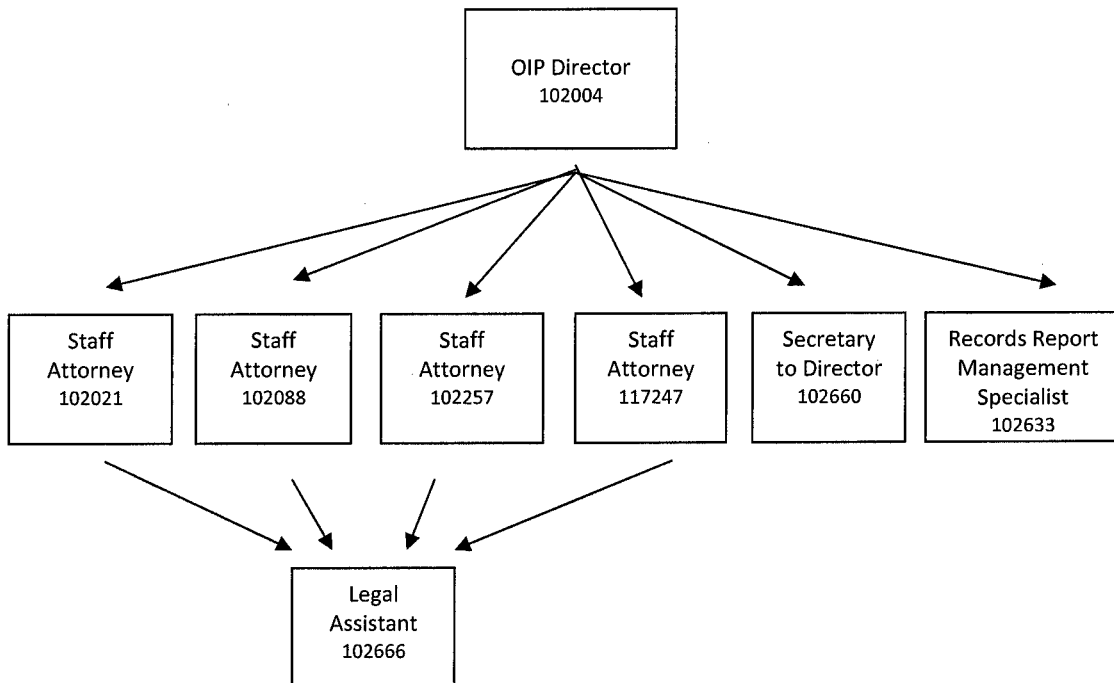
OIP has further increased its proactive efforts by regularly communicating with its users on open government developments and OIP's activities through weekly e-mails and occasional OpenLine newsletters that are electronically distributed. Additionally, OIP conducted an on-line survey to find out who its users are, what services they used and valued, and their level of satisfaction with OIP's services. OIP is pleased to announce that 94% of the respondents rated OIP's services as satisfactory or very satisfactory.

Tables 1-22.

Please see attached.

Organizational Chart

OIP is an attached agency to the Office of the Lieutenant Governor for administrative purposes only.



Department of Lieutenant Governor
 Office of Information Practices
 Department-Wide Budget Summary

Table 1

| Fiscal Year 2012 | | | | | |
|--|----------------|----------------------------|----------------|-------|--|
| Act 164/11 Appropriation | Restriction | Emergency Appropriation | Total FY12 | MOF | |
| | | | \$ (11,273.00) | A | |
| \$ 401,935.00 | \$ - | | \$ 390,662.00 | N | |
| | | | \$ - | R | |
| *11,273 representing labor savings transferred to BUF741 in compliance with CB agreements and Section 96 of Act 164, SLH 2011, thereby reducing budget total to 390,662. | | | | | |
| | | | \$ - | S | |
| | | | \$ - | T | |
| | | | \$ - | U | |
| | | | \$ - | V | |
| | | | \$ - | W | |
| | | | \$ - | X | |
| \$ 401,935.00 | \$ - | \$ - | \$ 390,662.00 | Total | |
| Fiscal Year 2013 | | | | | |
| Act 164/11 Appropriation | Reductions | Additions | Total FY13 | MOF | |
| \$ 401,935.00 | \$ (11,065.00) | | \$ 390,870.00 | A | |
| | | | \$ - | B | |
| | | | \$ - | N | |
| | | | \$ - | R | |
| | | | \$ - | S | |
| | | | \$ - | T | |
| | | | \$ - | U | |
| | | | \$ - | V | |
| | | | \$ - | W | |
| | | | \$ - | X | |
| \$ 401,935.00 | \$ (11,065.00) | \$ - | \$ 390,870.00 | Total | |

Department of Lieutenant Governor
Office of Information Practices
Prioritized List of Functions

Table 2

| Pri. # | Description of Function | Activities | Prog ID(s) | Statutory Reference |
|--------|--|---|------------|-------------------------|
| 1 | Administration of the State's Public Records Law, the Uniform Information Practices Act (Modified) | (1) Reviewing and ruling on appeals from an agency's denial of access; (2) rendering advisory opinions concerning the public's right to access records; (3) assisting the public in obtaining responses to record requests where an agency fails to respond to a request as required under the UIPA and associated administrative rules; (4) providing general legal guidance concerning access issues; (5) assisting agencies in complying with legal requirements; and (6) providing workshops and other educational training to agency personnel and the public. | LTG105IA | Chapter 92F, HRS |
| 2 | Administration of the State's Open Meetings Law (the Sunshine Law) | (1) Rendering advisory opinions concerning the public's right to participate in meetings of government boards; (2) investigating and resolving complaints concerning a board's noncompliance with the requirements of the Sunshine Law; (3) providing general guidance concerning open meetings issues; (4) assisting boards and agency staff in complying with legal requirements; and (5) providing workshops and other educational training to board members, board staff and the public. | LTG105IA | Part 1, Chapter 92, HRS |
| 3 | Administration of the State's Records Report System (RRS) | Assist agencies with meeting their annual statutory obligations in maintaining their reports; provide ongoing RRS workshops for city and state RRS coordinators; produce RRS instructional materials and perform other functions necessary to administer the RRS system. | LTG105IA | Section 92-F-18(b), HRS |

Department of Lieutenant Governor
Office of Information Practices

Table 3

Resources by Program ID

| Prog ID | Program Title | MOF | As budgeted in Act 164/11 (FY12) | | | Governor's Submittal (FY13) | | | Percent Change of \$\$\$ |
|----------|---|-----|----------------------------------|---------|------------|-----------------------------|---------|------------|-----------------------------|
| | | | Pos (P) | Pos (T) | \$\$\$ | Pos (P) | Pos (T) | \$\$\$ | |
| LTG1051A | Enforcement of Information Practices | A | 5.00 | 2.50 | \$ 401,935 | 5.00 | 2.50 | \$ 390,870 | -2.800% |

Department of Lieutenant Governor
 Office of Information Practices
 Current Year (FY12) Restrictions

Table 4

| <u>Prog ID</u> | <u>MOF</u> | <u>Restriction \$\$\$</u> | <u>Percent of Act 164/11</u> <u>Appropriation</u> | <u>Impact</u> |
|----------------|------------|---------------------------|--|---------------|
| LTG105IA | A | None | | |

Department of Lieutenant Governor
 Office of Information Practices
 Proposed Budget Reductions

Table 5

| <u>Request Category</u> | <u>Prog ID</u> | <u>Description of Reduction</u> | <u>Impact of Reduction</u> | <u>MOF</u> | <u>Pos (P) FY13</u> | <u>Pos (T) FY13</u> | <u>\$\$\$\$ FY13</u> | <u>Carry-over? (Y/N)</u> |
|-------------------------|----------------|---|--|------------|-------------------------|-------------------------|----------------------|------------------------------|
| LS | LTG105IA | Labor Savings pursuant to Section 96 of Act 164, SLH 2011 | Payroll will be in the negative of approx \$2,600. A fund transfer from OIP's Other Current Expense Category to Personal Services will be required in order to meet payroll costs. | A | 5.00 | 2.50 | \$ (11,065) | N |

Department of Lieutenant Governor
Office of Information Practices
Proposed Supplemental Year Additions

Table 6

| <u>Request Category</u> | <u>Prog ID</u> | <u>Description of Addition</u> | <u>Explanation</u> | <u>MOF</u> | <u>Pos (P) FY13</u> | <u>Pos (T) FY13</u> | <u>\$\$\$ FY13</u> |
|-------------------------|----------------|--------------------------------|--------------------|------------|-------------------------|-------------------------|--------------------|
| | LTG1051A | N/A | | | | | |

Department of Lieutenant Governor
 Office of Information Practices
 Non-General Fund Balances

Table 7

| <u>Name of Fund</u> | <u>Statutory Reference</u> | <u>MOF</u> | <u>Beginning FY12 Unencumbered Cash Balance</u> | <u>Estimated FY12 Revenues</u> | <u>Estimated FY12 Expenditures and Encumbrances</u> | <u>Estimated FY12 Net Transfers</u> | <u>Estimated FY12 Ending Unencumbered Cash Balance</u> | <u>Balance in Excess of Program Needs</u> |
|---------------------|----------------------------|------------|---|--------------------------------|---|-------------------------------------|--|---|
| N/A | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

Department of Lieutenant Governor
 Office of Information Practices
 Emergency Appropriation Requests

| <u>Prog ID</u> | <u>Description of Request</u> | <u>MOF</u> | <u>Pos (P)</u> FY12 | <u>Pos (T)</u> FY12 | <u>\$\$\$ FY12</u> |
|----------------|-------------------------------|------------|------------------------|------------------------|--------------------|
| LTG105IA | N/A | | | | |

Department of Lieutenant Governor
Office of Information Practices
Budget Decisions

Table 9

| Prog ID | Description | MOF | | Initial Department Request | | Budget and Finance Recommendation | | Governor's Decision | |
|----------|---|---------|---------|----------------------------|---------|-----------------------------------|---------|-----------------------|---------|
| | | Pos (P) | Pos (T) | Pos (P) | Pos (T) | Pos (P) | Pos (T) | Pos (P) | Pos (T) |
| LTG105IA | * Labor Savings Reduction | A | | \$\$\$ (11,065.00) | | \$\$\$ (11,065.00) | | \$\$\$ (11,065.00) | |
| | *Reduction is pursuant to collective bargaining agreements and Section 96 of Act 164, SLH 2011. | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

Department of Lieutenant Governor
Office of Information Practices
Program Review Proposals

Table 10

| Prog ID | Description | MOF | | | Budget and Finance Proposal | | | Department Proposal | | | Governor's Final Decision | | |
|----------|---|---------|---------|--------|-----------------------------|---------|----------------|---------------------|---------|--------|---------------------------|---------|--------|
| | | Pos (P) | Pos (T) | \$\$\$ | Pos (P) | Pos (T) | \$\$\$ | Pos (P) | Pos (T) | \$\$\$ | Pos (P) | Pos (T) | \$\$\$ |
| LTG1051A | Fill (* previously) vacant 1.0 FTE staff attorney position at .50 FTE or substantially delay filling position. | | | | | | \$ (19,387.00) | | | | | | |
| | *The Governor did not agree to OIP's proposed reduction of \$19,387. Therefore, OIP filled this staff attorney position at 1.0 FTE in October 2011 and can no longer absorb the \$19,387 reduction. | | | | | | | | | | | | |

Department of Lieutenant Governor
 Office of Information Practices
 Position Vacant as of November 30

Table 11

| <u>Prog ID</u> | <u>Date of Vacancy</u> | <u>Position Number</u> | <u>Position Title</u> | <u>SR Level</u> | <u>BU Code</u> | <u>Temp Perm</u> <u>(T/P)</u> | <u>FTE</u> | <u>MOF</u> | <u>Budgeted Amount</u> | <u>Actual Salary Last Paid</u> | <u>Exempt (Y/N)</u> | <u>Authority to Hire (Y/N)</u> | <u>Occupied by 89 Day Hire (Y/N)</u> |
|----------------|------------------------|------------------------|-----------------------|-----------------|----------------|----------------------------------|------------|------------|------------------------|--------------------------------|---------------------|--------------------------------|--------------------------------------|
| LTG1051A | N/A | | | | | | | | | | | | |

Department of Lieutenant Governor
 Office of Information Practices
 Personnel Separations (7/1/10-11/30/11)

Table 12

| <u>Prog ID/Org</u> | <u>Position Number</u> | <u>Position Title</u> | <u>SR Level</u> | <u>BU Code</u> | <u>I/P</u> | <u>MOF</u> | <u>Budgeted FTE</u> | <u>Budgeted Salary</u> | <u>Actual FTE</u> | <u>Actual Salary</u> |
|--------------------|------------------------|-----------------------|-----------------|----------------|------------|------------|---------------------|------------------------|-------------------|----------------------|
| LTG105IA | 102257 | Staff Attorney | N/A | 73 | T | A | 1.00 | \$ 56,160 | 1.00 | \$ 50,976 |
| LTG105IA | 102004 | Acting OIP Director | N/A | 93 | P | A | 1.00 | \$ 87,960 | 1.00 | \$ 63,876 |

Department of Lieutenant Governor
 Office of Information Practices
 New Hires (7/1/10 - 11/30/11)

Table 13

| <u>Prog ID/Org</u> | <u>New Hire Effective Date</u> | <u>Position Number</u> | <u>Position Title</u> | <u>SR Level</u> | <u>BU Code</u> | <u>T/P</u> | <u>MOF</u> | <u>Budgeted FTE</u> | <u>Budgeted Salary</u> | <u>Actual FTE</u> | <u>Actual Salary</u> |
|--------------------|--------------------------------|------------------------|-----------------------|-----------------|----------------|------------|------------|---------------------|------------------------|-------------------|----------------------|
| LTG105/A | 3/1/2011 | 102257 | Staff Attorney | N/A | 73 | T | A | 1.00 | \$ 56,160 | 1.00 | \$ 53,352 |
| LTG105/A | 4/1/2011 | 102004 | OIP Director | N/A | 93 | P | A | 1.00 | \$ 95,844 | 1.00 | \$ 91,052 |
| LTG105/A | 10/25/2011 | 102088 | Staff Attorney | N/A | 73 | T | A | 1.00 | \$ 53,000 | 1.00 | \$ 50,350 |

Department of Lieutenant Governor
 Office of Information Practices
 RIF Related Grievances

Table 14

| <u>Prog ID/Org</u> | <u>Position Number</u> | <u>Position Title</u> | <u>SR Level</u> | <u>BU</u> | <u>T/P</u> | <u>MOF</u> | <u>FTE</u> | <u>RIF Date</u> | <u>Grievance Date</u> | <u>Current Status</u> |
|--------------------|------------------------|-----------------------|-----------------|-----------|------------|------------|------------|-----------------|-----------------------|-----------------------|
| LTG105/A | N/A | | | | | | | | | |

Department of Lieutenant Governor
Office of Information Practices
Expenditures Exceeding Appropriation Ceilings

Table 15

| <u>Prog ID</u> | <u>MOF</u> | <u>Date of Increase</u> | <u>Appropriation Ceiling</u> | <u>Amount Exceeding Appropriation</u> | <u>Increase Percent</u> | <u>Reason for Exceeding Ceiling</u> | <u>Recurring (Y/N)</u> | <u>GF Impact (Y/N)</u> |
|----------------|------------|-------------------------|------------------------------|---------------------------------------|-------------------------|-------------------------------------|------------------------|------------------------|
| LTG1051A | A | N/A | | | | | | |

Department of Lieutenant Governor
Office of Information Practices
Federal Grants

Table 16

| <u>Prog ID</u> | <u>CFDA No.</u> | <u>Award Description</u> | <u>Awarding Federal Agency</u> | <u>Anticipated or Actual Date of Award</u> | <u>Anticipated or Actual Award Amount</u> | <u>State Fiscal Year</u> | <u>State Matching Requirement or Other Commitment (Describe)</u> | <u>Anticipated Reduction or Discontinuation (Y/N)</u> | <u>Comments</u> |
|----------------|-----------------|--------------------------|--------------------------------|--|---|--------------------------|--|---|-----------------|
| LTG105IA | N/A | | | | | | | | |

Department of Lieutenant Governor
 Office of Information Practices
 Intradepartmental Transfer of Funds

Table 17

| <u>Anticipated or Actual Date of Transfer</u> | <u>MOF</u> | <u>Amount of Transfer</u> | <u>From Prog ID</u> | <u>Percent of Imparting Program ID Appropriation</u> | <u>To Prog ID</u> | <u>Percent of Receiving Program ID Appropriation</u> | <u>Reason for Transfer</u> | <u>Recurring (Y/N)</u> |
|---|------------|---------------------------|---------------------|--|-------------------|--|----------------------------|------------------------|
| N/A | | | | | | | | |

Department of Lieutenant Governor
 Office of Information Practices
 Interdepartmental Transfer of Funds

Table 18

| <u>Anticipated or Actual Date of Transfer</u> | <u>MOF</u> | <u>Amount of Transfer</u> | <u>From Prog ID</u> | <u>Percent of Imparting Program ID Appropriation</u> | <u>To Prog ID</u> | <u>Percent of Receiving Program ID Appropriation</u> | <u>Transfer Category LS/PR/O</u> | <u>Reason for Transfer (O - Other)</u> | <u>Recurring (Y/N)</u> |
|---|------------|---------------------------|---------------------|--|-------------------|--|----------------------------------|---|------------------------|
| 9/23/2011 | A | \$ 11,273 | LTG1051A | -2.8% | BUF741 | 0.6% | LS | Transfer necessary to comply with collective bargaining agreements and Section 96 of Act 164, SLH 2011. | N |

Department of Lieutenant Governor
 Office of Information Practices
 Active Contracts

Table 19

| Prog ID | MOF | Amount | Frequency (M/A/O) | Max Value | Outstanding Balance | Date Executed | Term of Contract | | Organization | Category G/S/E/L | Description | Explanation of How Contract is Monitored | POS Y/N |
|----------|-----|--------|----------------------|--------------|------------------------|------------------|------------------|----|--------------|---------------------|-------------|--|------------|
| | | | | | | | From | To | | | | | |
| LTG105/A | A | N/A | | | | | | | | | | | |

Department of Lieutenant Governor
 Office of Information Practices
 CIP Summary

Table 20

| Priority | Project Title | FY13 \$\$\$ | MOF |
|----------|---------------|-------------|-----|
| N/A | | | |

Department of Lieutenant Governor
 Office of Information Practices

Table 21

Division Resources

| Division | Associated Program IDs | |
|---|------------------------|--------|
| Office of the Lieutenant Governor | | LTG100 |
| *Office of Information Practices | | LTG105 |
| | | |
| | | |
| *Attached only for administrative purposes. | | |

Department of Lieutenant Governor
 Office of Information Practices
 Organization Changes

Table 22

| <u>Year of Change</u> FY12/FY13 | <u>Page Number</u> | <u>Description of Change</u> |
|------------------------------------|--------------------|------------------------------|
| | | N/A |