



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

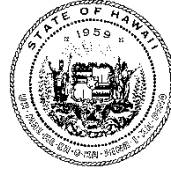
**SHAN S. TSUTSUI**  
LIEUTENANT GOVERNOR

**TESTIMONY OF  
THE OFFICE OF THE LIEUTENANT GOVERNOR  
TO THE  
SENATE COMMITTEE ON JUDICIARY AND LABOR**

**HOUSE BILL NO. 461  
Relating to the Office of Information Practices**

Chair Keith-Agaran, Vice-Chair Shimabukuro and members of the Committee on Judiciary and Labor, the Office of the Lieutenant Governor supports House Bill No. 461, relating to the Office of Information Practices and will defer to the Departments of Budget and Finance and Accounting and General Services on any fiscal or other implications the transfer may have.

Thank you for the opportunity to testify.



**STATE OF HAWAII**  
**DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES**

P.O. BOX 119, HONOLULU, HAWAII 96810-0119

TESTIMONY  
OF  
DOUGLAS MURDOCK, COMPTROLLER  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
TO THE  
SENATE COMMITTEE  
ON  
JUDICIARY AND LABOR  
ON  
MARCH 16, 2015

H.B. 461

RELATING TO THE OFFICE OF INFORMATION PRACTICES

Chair Keith-Agaran and members of the Committee, thank you for the opportunity to testify on H.B. 461. The Department of Accounting and General Services (DAGS) provides the following comments on H.B. 461.

DAGS recommends that the Committee delete or modify SECTION 1 of H.B. 461 (at page 1, lines 4 – 17) because Section 26-35, Hawaii Revised Statutes (HRS), applies to boards and commissions and the Office of Information Practices (OIP) is not a board or commission nor does it have a board or commission with governing responsibility.

DAGS has no objection to OIP having direct communications with the Governor and Legislature. This authority could be added to SECTION 5 of the bill by including the power in Section 92F-41, HRS, by adding the language “(e) Make direct communications with the governor and legislature.”

In addition, because Section 26-35, HRS, does not apply to OIP, the Committee should consider adding to SECTION 5 of the bill the following paragraphs under Section 92F-41, HRS, in order to maintain OIP's independent decision making ability:

“(f) Any quasi-judicial functions of the office of information practices shall not be subject to the approval, review, or control of the head of the department.

“(g) The head of the department shall not have the power to supervise or control the office of information practices in the exercise of its functions, duties, and powers under section 92F-42 – Powers and duties of the office of information practices.”

This above proposed language is similar to Section 26-35(7) and (8), HRS.

DAGS objects to the exemptions from administrative control for personnel matters and purchasing. DAGS cannot properly service or assist OIP if these areas are exempt from administrative control.

Thank you for the opportunity to testify on this matter.



Senate Judiciary and Labor Committee  
Chair Gilbert Keith-Agaran, Vice Chair Maile Shimabukuro

Monday 03/16/2015 at 9:30 AM in Room 016  
HB461 Relating to the Office of Information Practices

TESTIMONY OF SUPPORT  
Carmille Lim, Executive Director, Common Cause Hawaii

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Dear Chair Keith-Agaran, Vice Chair Shimabukuro and members of the Senate Judiciary and Labor Committee:

**Common Cause Hawaii supports HB461**, which will transfer the Office of Information Practices (OIP) from the Office of the Lieutenant Governor (LG) to the Department of Accounting and General Services (DAGS).

We believe the current administrative attachment of the OIP to the LG allows the potential for undue political influence to exist. In harmony with Common Cause Hawaii's efforts to strengthen government transparency, this bill offers acceptable measures that will safeguard the autonomy of the OIP as an administrative attachment to DAGS.

Thank you for the opportunity to testify in support of HB461.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 12, 2015 6:26 PM  
**To:** JDLTestimony  
**Cc:**  
**Subject:** \*Submitted testimony for HB461 on Mar 16, 2015 09:30AM\*

**HB461**

Submitted on: 3/12/2015

Testimony for JDL on Mar 16, 2015 09:30AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nancy Davlantes	Individual	Support	No

Comments:

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