

# OFFICE OF INFORMATION PRACTICES

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To: House Committee on Finance

From: Cheryl Kakazu Park, Director

Date: February 21, 2014, 12:00 p.m.  
State Capitol, Conference Room 308

Re: Testimony on H.B. No. 1070, H.D. 1  
Relating to the University of Hawaii

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Thank you for the opportunity to submit testimony on this bill. The Office of Information Practices (“OIP”) takes no position on the substance of this bill, which would require the Board of Regents of the University of Hawaii to be trained annually on topics including the Sunshine Law, part I of chapter 92, Hawaii Revised Statutes (“HRS”), and the Uniform Information Practices Act, chapter 92F, Hawaii Revised Statutes (“UIPA”), and suggests that OIP be the agency to conduct the training.

OIP is willing to provide the annual Sunshine Law and UIPA training proposed by this bill. OIP administers both laws and regularly provides training on them, and has training materials (including videos, written guides, and other guidance on specific topics) available online for government agencies and boards and the general public to easily access and study at their convenience 24/7. OIP also provides specialized in-person training, subject to OIP’s staffing resources. OIP notes, however, that responding to UIPA record requests is typically a matter handled by the staff, such that the individual regents’ need for training in on this law may be minimal.

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February 21, 2014  
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OIP further notes that the effective date of the bill, currently July 1, 2013, should be changed to July 1, 2014.

Thank you for the opportunity to testify.

**finance8-Danyl**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, February 20, 2014 2:53 AM  
**To:** FINTestimony  
**Cc:** aagbanna@hawaii.edu  
**Subject:** Submitted testimony for HB1070 on Feb 21, 2014 12:00PM

**HB1070**

Submitted on: 2/20/2014

Testimony for FIN on Feb 21, 2014 12:00PM in Conference Room 308

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Antonia Agbannawag	Individual	Support	Yes

Comments: present, not presenting testimony.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Date: February 21, 2014, 12:00 PM

To: House of Committee of Finance

From: Katy Christensen, University of Hawaii at Manoa undergraduate student

Re: HB 1070, Relating to the University of Hawaii

**In support**

I support HB 1070, regarding the training of the University Board of Regents on board policies, Hawaii's Sunshine Law, and Hawaii's open records law because it will provide the regents with the tools to maintain an efficient university system, it will hold the regents accountable for the actions taken by the board, and it will offer solutions to cut current waste in the processes taken on by the board.

Having regents that are aware aware of the policies and processes of the board helps to eliminate inefficiency and redundancy in the system. By training them in the Hawaii Sunshine Law and the open records law, this bill is able to offer public scrutiny to actions of the board and hold members accountable for decisions. The policy of training board members will help the university employees by providing a well-supported working environment and it will help the students by providing transparency to board activities. As a student in the University of Hawaii system, I recommend that HB 1070 regarding the University of Hawaii is passed.

Thank you for this opportunity to submit testimony.



**LATE**

# UNIVERSITY OF HAWAII

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## BOARD OF REGENTS

Testimony presented before the  
House Committee on Finance  
February 21, 2014 at 12:00 p.m.

by  
John Holzman  
Chair, Board of Regents

### HB 1070 HD1 – RELATING TO THE UNIVERSITY OF HAWAII

Chair Luke, Vice Chairs Nishimoto and Johanson, and members of the House Committee on Finance:

The Board of Regents (BOR) of the University of Hawai'i submits this testimony in opposition to HB 1070. This bill is similar to HB 1072 in that it singles out the members of the BOR, relying on a senate report that is nearly two years old and addressed the circumstances of the concert fiasco of 2012. It assumes no change has taken place since that time, and that regents will inform themselves about Hawaii's Sunshine open records law only under the threat of removal from the BOR. The bill does not apply to any other volunteer state board or commission, nor to any state board or commission whose members are compensated.

The BOR took the recommendations of the senate special committee to heart and changed procedures and practices to ensure compliance with the letter and spirit of Hawaii's Sunshine and open records law. Executive sessions are held only in instances where disclosure would compromise the University's position in negotiations or litigation, or to protect the privacy of others, as required by law. Every new Regent receives a special orientation on all of his or her obligations, with a specific emphasis on Hawaii's Sunshine and open records law by the Office of General Counsel and the University's EEO officer. In its By-Laws, the Board has required itself to conduct a self-study of its stewardship every two years, with very prescriptive planning requirements, including setting a workshop date and site at least three months in advance, for at least an eight hour session.

Volunteer public service as a regent is a significant contribution to our community. Such service is vital to the operations of state government and ultimately the success of Hawai'i and its people. This bill would impose an unequal burden on the BOR and is based on circumstances that no longer exist.

We respectfully request this measure be deferred.

Thank you for the opportunity to testify on this measure.