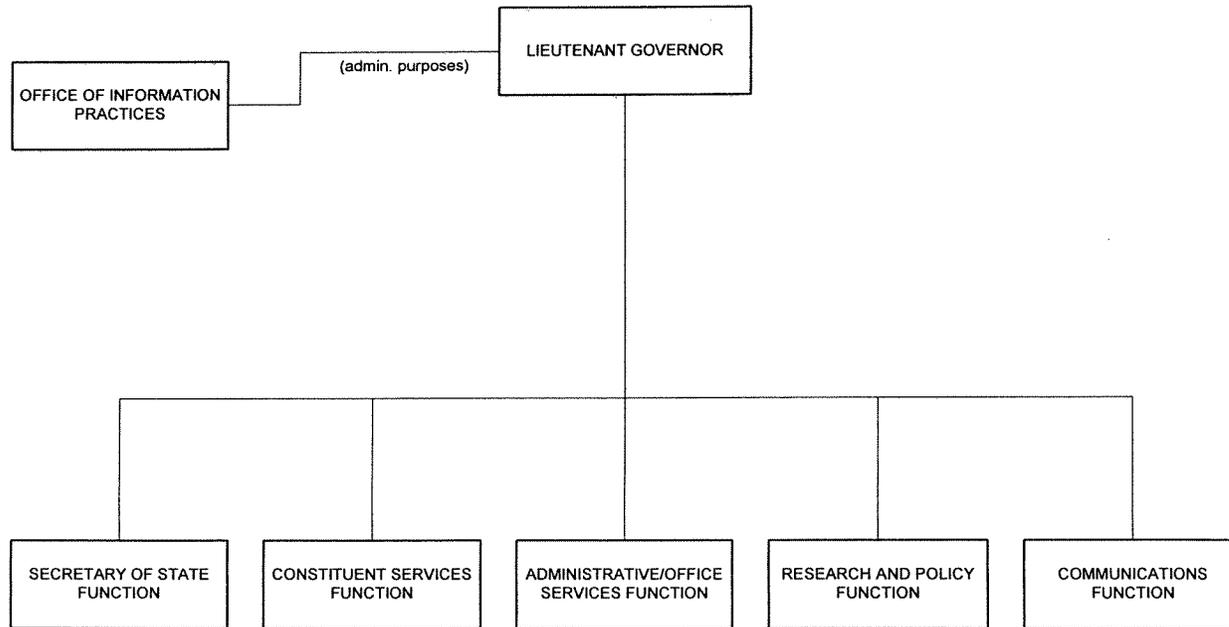


Office of the Lieutenant Governor

STATE OF HAWAII
DEPARTMENT OF THE LIEUTENANT GOVERNOR
ORGANIZATION CHART



OFFICE OF THE LIEUTENANT GOVERNOR

Department Summary

Mission Statement

To enhance the efficiency and effectiveness of state programs by providing leadership and executive management.

Department Goals

To provide effective leadership and executive management, and protect the public's interest by ensuring that government processes are open.

Significant Measures of Effectiveness

1. Total revenue from sales as a percentage of cost of publication
2. Number of requests for general guidance (attorney of the day)

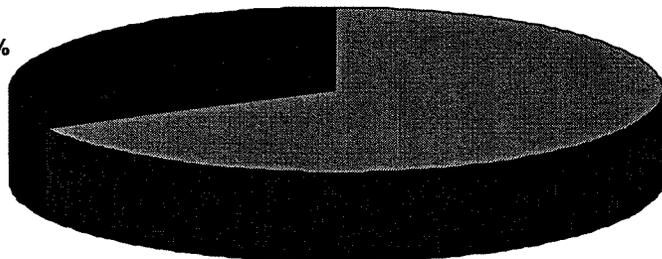
<u>FY 2008</u>	<u>FY 2009</u>
80	80
800	800

FB 2007-09 Operating Budget by Major Activity

FY 2008

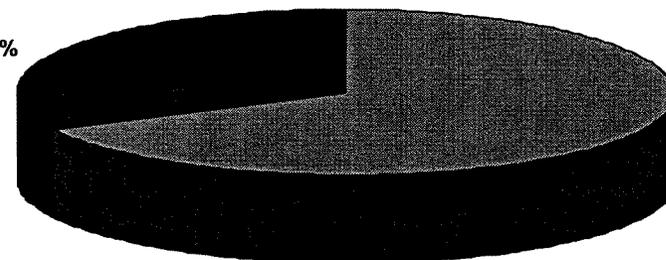
FY 2009

Enforcement of Info.
Practices,
\$411,475, 33%



Office of the Lieutenant
Governor,
\$849,617, 67%

Enforcement of Info.
Practices,
\$411,507, 33%



Office of the Lieutenant
Governor,
\$849,631, 67%

OFFICE OF THE LIEUTENANT GOVERNOR MAJOR FUNCTIONS

- Exercise the executive powers whenever the Governor is absent from the State or unable to exercise and discharge the powers and duties of the office; serve as the Secretary of State for intergovernmental relations; and provide administrative support to the Office of Information Practices.
- Perform duties and undertake projects assigned by the Governor. Currently, these duties include public safety issues, Hawaii Drug Control Strategic Plan, Native Hawaiian issues, and economic development.
- Provide general advice and guidance to agencies and the public on the UIPA and the Sunshine Law; assist the public in obtaining records and responses to record requests; conduct inquiries into an agency's compliance with the UIPA and the Sunshine Law; and investigate alleged violations of these laws.

MAJOR PROGRAM AREAS

The Office of the Lieutenant Governor has programs in the following major program areas:

Individual Rights

LTG 105 Enforcement of Information Practices

Government-Wide Support

LTG 100 Office of the Lieutenant Governor

**Office of the Lieutenant Governor
(Operating Budget)**

		Allocation		
		FY 2007	FY 2008	FY 2009
Funding Sources:	Positions	8.00	8.00	8.00
General Funds	\$	1,254,852	1,261,092	1,261,138
		8.00	8.00	8.00
Total Requirements		<u>1,254,852</u>	<u>1,261,092</u>	<u>1,261,138</u>

Highlights of the Executive Budget Request: (general funds unless noted)

1. Reduces the general fund by \$4,942 in FY 08 and 09 to reflect the centralization of risk management costs in the Department of Accounting and General Services

OPERATING AND CAPITAL EXPENDITURES

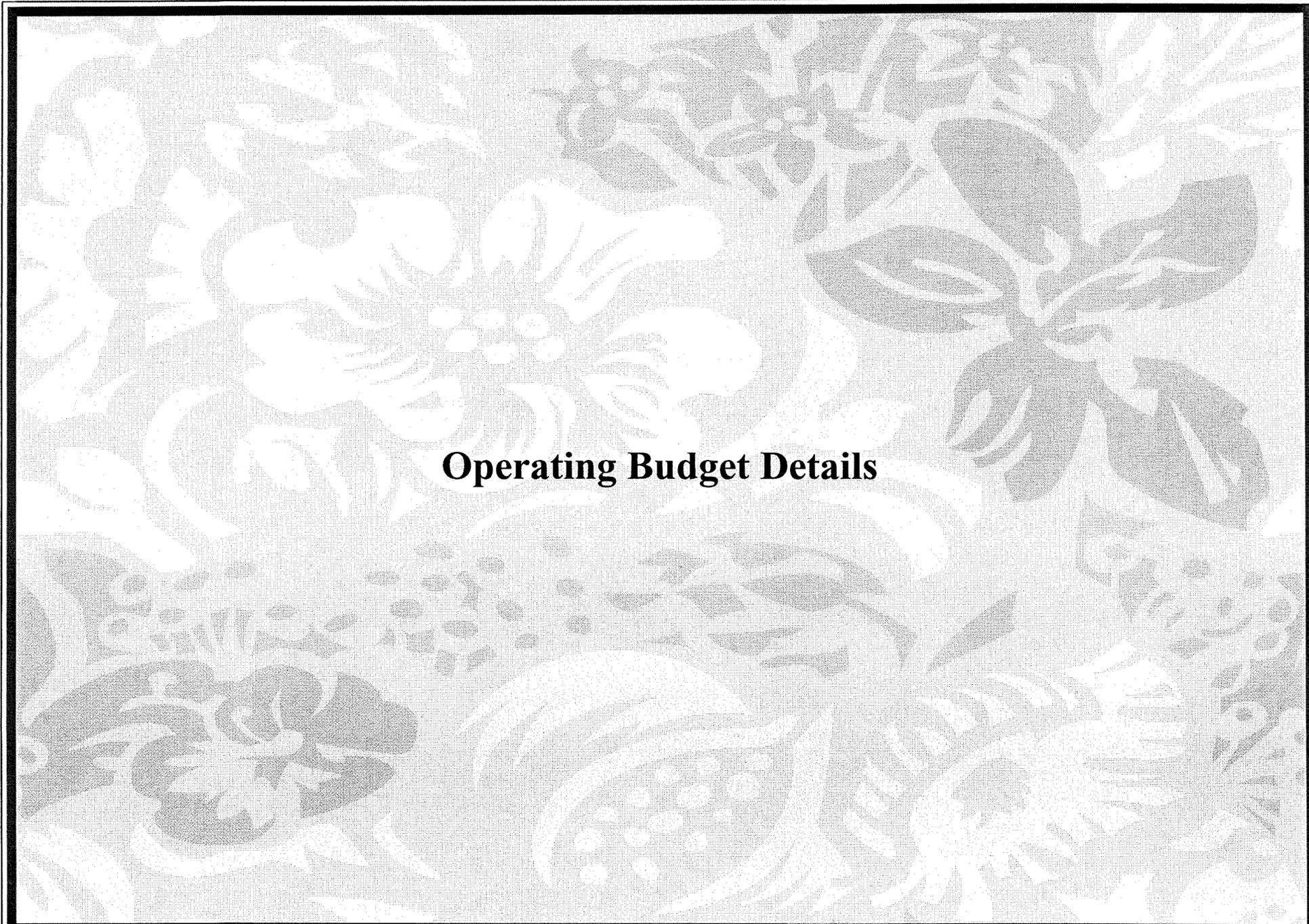
REPORT P61-A

PROGRAM ID:
PROGRAM STRUCTURE NO.
PROGRAM TITLE:

OFFICE OF THE LIEUTENANT GOVERNOR

PROGRAM EXPENDITURES	IN DOLLARS				IN THOUSANDS			
	FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10	FY2010-11	FY2011-12	FY2012-13
OPERATING COST	8.00*	8.00*	8.00*	8.00*	8.0*	8.0*	8.0*	8.0*
PERSONAL SERVICES	807,072	1,042,579	1,172,859	1,172,905	1,173	1,173	1,173	1,173
OTHER CURRENT EXPENSES	93,175	191,166	88,233	88,233	88	88	88	88
TOTAL OPERATING COST	900,247	1,233,745	1,261,092	1,261,138	1,261	1,261	1,261	1,261
BY MEANS OF FINANCING								
GENERAL FUND	8.00*	8.00*	8.00*	8.00*	8.0*	8.0*	8.0*	8.0*
	900,247	1,233,745	1,261,092	1,261,138	1,261	1,261	1,261	1,261
TOTAL POSITIONS	8.00*	8.00*	8.00*	8.00*	8.00*	8.00*	8.00*	8.00*
TOTAL PROGRAM COST	900,247	1,233,745	1,261,092	1,261,138	1,261	1,261	1,261	1,261

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Operating Budget Details

OPERATING AND CAPITAL EXPENDITURES

REPORT P61-A

PROGRAM ID:
 PROGRAM STRUCTURE NO. **10**
 PROGRAM TITLE: **INDIVIDUAL RIGHTS**

PROGRAM EXPENDITURES	-IN DOLLARS-				-IN THOUSANDS-			
	FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10	FY2010-11	FY2011-12	FY2012-13
OPERATING COST	5.00*	5.00*	5.00*	5.00*	5.0*	5.0*	5.0*	5.0*
PERSONAL SERVICES	350,367	350,367	376,255	376,287	376	376	376	376
OTHER CURRENT EXPENSES	35,220	35,220	35,220	35,220	35	35	35	35
TOTAL OPERATING COST	385,587	385,587	411,475	411,507	411	411	411	411
BY MEANS OF FINANCING								
GENERAL FUND	5.00*	5.00*	5.00*	5.00*	5.0*	5.0*	5.0*	5.0*
	385,587	385,587	411,475	411,507	411	411	411	411
TOTAL POSITIONS	5.00*	5.00*	5.00*	5.00*	5.00*	5.00*	5.00*	5.00*
TOTAL PROGRAM COST	385,587	385,587	411,475	411,507	411	411	411	411

OPERATING AND CAPITAL EXPENDITURES

REPORT P61-A

PROGRAM ID: **LTG105**
 PROGRAM STRUCTURE NO. **1002**
 PROGRAM TITLE: **ENFORCEMENT OF INFORMATION PRACTICES**

PROGRAM EXPENDITURES	IN DOLLARS				IN THOUSANDS			
	FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10	FY2010-11	FY2011-12	FY2012-13
OPERATING COST	5.00*	5.00*	5.00*	5.00*	5.0*	5.0*	5.0*	5.0*
PERSONAL SERVICES	350,367	350,367	376,255	376,287	376	376	376	376
OTHER CURRENT EXPENSES	35,220	35,220	35,220	35,220	35	35	35	35
TOTAL OPERATING COST	385,587	385,587	411,475	411,507	411	411	411	411
BY MEANS OF FINANCING								
GENERAL FUND	5.00*	5.00*	5.00*	5.00*	5.0*	5.0*	5.0*	5.0*
	385,587	385,587	411,475	411,507	411	411	411	411
TOTAL POSITIONS	5.00*	5.00*	5.00*	5.00*	5.00*	5.00*	5.00*	5.00*
TOTAL PROGRAM COST	385,587	385,587	411,475	411,507	411	411	411	411

PROGRAM ID: LTG105
 PROGRAM STRUCTURE: 1002
 PROGRAM TITLE: ENFORCEMENT OF INFORMATION PRACTICES

	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13
MEASURES OF EFFECTIVENESS								
1. % APPEALS FR DENIAL OF ACCESS RESOLVED W/IN 30 DAY		40	55	70	70	70	70	70
2. % OF ADVISORY OPINIONS RENDERED WITHIN 45 DAYS		60	65	75	75	75	75	75
3. % OF SUNSHINE LAW INVESTIGATIONS COMP W/IN 30 DAYS		50	65	80	80	80	80	80
4. % ASSIST ENF AGEN COMPL RESP REQ COMP W/IN 30 DAYS		50	65	80	80	80	80	80
5. % GENERAL INQUIRIES (AOD) RESPONDED TO W/IN 1 DAY		95	95	95	95	95	95	95
6. % NEW BOARD MEMBERS REC'G SUNSHINE LAW TRAINING		30	40	60	60	60	60	60
7. % AGENCIES COMPLYING WITH RECORD REPORTING SYSTEM		30	30	30	30	30	30	30
8. NO. OF OPENLINE NEWSLETTERS AND GUIDANCE MEMORANDA		12	12	12	12	12	12	12
9. NO. OF TRAINING PRESENTATIONS TO AGENCIES/BOARDS		25	25	35	45	45	45	45
10. NO. OF PUBLIC INFORMATIONAL PRESENTATIONS		2	2	4	4	4	4	4
PROGRAM TARGET GROUPS								
1. DE FACTO POPULATION OF HAWAII								
2. ALL STATE AND COUNTY AGENCIES								
3. ALL STATE AND COUNTY GOVERNMENT EMPLOYEES								
4. OTHERS INTERESTED IN HAWAII GOVT RECORDS & MTGS								
PROGRAM ACTIVITIES								
1. GENERAL GUIDANCE RE: UIPA & SUNSHINE LAW ISSUES	800	800	800	800	800	800	800	800
2. ASSISTANCE PROVIDED TO OBTAIN AGENCY RECORDS	65	65	65	65	65	65	65	65
3. FORMAL OPINIONS ISSUED	18	12	16	25	25	25	25	25
4. INFORMAL OPINIONS ISSUED	25	30	35	40	40	40	40	40
5. INVESTIGATIONS RE: SUNSHINE LAW COMPLIANCE	3	30	30	30	30	30	30	30
6. LAWSUITS MONITORED	3	3	3	3	3	3	3	3
7. LEGISLATION MONITORED/TESTIFIED	125	125	125	125	125	125	125	125
8. PUBLICATIONS (OPENLINE/EDUC MATERIALS/REPORTS)	20	12	12	12	12	12	12	12
9. RRS REPORTS INPUTTED/RECEIVED	24	24	24	24	24	24	24	24
10. TRAINING WORKSHOPS ON UIPA AND SUNSHINE LAW	24	25	35	45	45	45	45	45

A. Statement of Program Objectives

To protect the public's interest by ensuring, to the extent reasonably possible, that the governmental processes are open to public scrutiny and participation, that the public has access to government records, that government boards conduct their business in meetings open to the public unless permitted by statute to do otherwise, that government is accountable to individuals in the collection, use and dissemination of information about them, and that individuals' privacy interests are protected where disclosure would constitute a clearly unwarranted invasion of privacy; to assist the public in obtaining records; to resolve complaints and issues relating to the public's access to records and meetings; to assist government agencies and boards in complying with the public records and open meeting laws.

B. Description of Request and Compliance with Section 37-68(1)(A)(B)

Not applicable

C. Description of Activities Performed

Provide general advice and guidance to government agencies, government boards, and the public about an agency's or board's responsibilities and the public's rights under the Uniform Information Practices Act (Modified), chapter 92F, HRS (the "UIPA") and Sunshine Law, part I of chapter 92, HRS; Assist the public in obtaining records and/or responses to record requests; Conduct inquiries into an agency's compliance with the UIPA and the Sunshine Law; Investigate alleged violations of the UIPA and the Sunshine Law; Recommend disciplinary action; Receive requests for and issue written opinions (formal and informal) relating to an agency's responsibilities and the public's rights under the UIPA and the Sunshine Law; Rule on appeals of an agency's denial of access to records; Introduce and monitor legislation; Publish newsletters and other informational publications; Conduct training and other types of educational workshops; Maintain and oversee the Records Report System; Report to the Governor and the Legislature.

D. Statement of Key Policies Pursued

To promote public interest in disclosure; provide for accurate, relevant, timely, and complete government records; enhance governmental accountability through a general policy of access to government records and meetings; make government accountable to individuals in the collection, use, and dissemination of information related to them; balance the individual privacy interest and public access interest, allowing access unless it would constitute a clearly unwarranted invasion of privacy.

E. Identification of Important Program Relationships

As the UIPA affects all state and county agencies, the program maintains primary relationships with all of them. Additionally, in administering the open meetings law, the program must maintain primary relationships with state and county boards, commissions, authorities, and committees.

Important secondary relationships are maintained with a number of diverse public interest groups (state, national, and international levels), including the Council on Governmental Ethics Laws (COGEL), Common Cause, League of Women Voters, Honolulu Professional Journalists, the American Society of Access Professionals, and the International Data Protection Commissioners. In addition, the program maintains strong relationships with other Pacific Rim and United States agencies involved in information practices.

F. Description of Major External Trends Affecting the Program

Since 9/11, there has been a significant trend, led by the federal government, to keep more information and government records secret. Security and the fear of terrorism are frequently cited as reasons for denying access to the information and records. While state and county agencies in Hawaii have not routinely attempted to deny public access to information and records based upon claims of state or county security, there are instances that such security concerns have been cited to withhold,

for instance, residential and commercial building plans, records that are required to be public under the UIPA.

Identity theft and business espionage are also relatively recent trends that affect OIP's program. Agencies must improve their information practices to better maintain security over information in which somebody has a significant privacy interest or which is proprietary. Agencies, however, cannot withhold access to all information without first determining that, in the case of personal information, disclosure would be an unwarranted invasion of privacy or, in the case of a business, the information is truly proprietary and/or confidential.

Another trend that continues to develop is technology which can greatly increase public access to records by allowing agencies to locate requested records quickly and inexpensively, to reproduce documents in different formats and to transmit electronically the records to a requestor. Developments in technology also require agencies to continue to implement and improve information practices to prevent unwarranted disclosure of information and records. Technology may allow unauthorized access to information and records; because of the volume of information and records that may be retrievable, it may also result in more inadvertent disclosure of protected information and records.

G. Discussion of Cost, Effectiveness, and Program Size Data

Each year, OIP receives approximately 1,000 inquiries involving UIPA and Sunshine Law issues. Many of the inquiries are handled through OIP's Attorney-of-the-Day ("AOD") service by which a member of the public, a government agency or a government board can receive general guidance from an OIP staff attorney via telephone, by walking-in or through e-mail. In addition to the general AOD-type advice, every year, OIP handles over 100 requests for assistance from members of the public to obtain records from government agencies or responses to requests for records. OIP also receives over 50 appeals of an agency's denial of access and requests for opinions involving access to records and meetings from both the public and government agencies, many of which require relatively complex legal analysis. OIP also annually initiates a number of investigations of alleged violations of the

Sunshine Law by state and county boards. In addition to addressing the heavy volume of questions, requests for assistance, requests for opinions, and appeals received each year, OIP has a substantial backlog of pending matters, some of which are over 5 years old.

OIP has been unable to achieve all of the program objectives with its present level of staffing. OIP's effectiveness to both the public and government agencies has been limited because of its inability to respond to requests for assistance or requests for opinions in a reasonably timely fashion. OIP anticipates continuing to reduce the number of files that have been pending for more than one year; however, without more staff, the process realistically will take a number of years.

H. Discussion of Program Revenue

Not applicable

I. Summary of Analysis Performed

Not applicable

J. Further Considerations

During the program's existence, its budget has fluctuated greatly and is currently significantly below appropriate levels. The current allotment detracts from the program's ability to perform its basic mandates

OPERATING AND CAPITAL EXPENDITURES

REPORT P61-A

PROGRAM ID:
 PROGRAM STRUCTURE NO. **11**
 PROGRAM TITLE: **GOVERNMENT-WIDE SUPPORT**

PROGRAM EXPENDITURES	IN DOLLARS				IN THOUSANDS			
	FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10	FY2010-11	FY2011-12	FY2012-13
OPERATING COST	3.00*	3.00*	3.00*	3.00*	3.0*	3.0*	3.0*	3.0*
PERSONAL SERVICES	456,705	692,212	796,604	796,618	797	797	797	797
OTHER CURRENT EXPENSES	57,955	155,946	53,013	53,013	53	53	53	53
TOTAL OPERATING COST	514,660	848,158	849,617	849,631	850	850	850	850
BY MEANS OF FINANCING								
GENERAL FUND	3.00*	3.00*	3.00*	3.00*	3.0*	3.0*	3.0*	3.0*
	514,660	848,158	849,617	849,631	850	850	850	850
TOTAL POSITIONS	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*
TOTAL PROGRAM COST	514,660	848,158	849,617	849,631	850	850	850	850

OPERATING AND CAPITAL EXPENDITURES

REPORT P61-A

PROGRAM ID: **LTG100**
 PROGRAM STRUCTURE NO. **110102**
 PROGRAM TITLE: **OFFICE OF THE LIEUTENANT GOVERNOR**

PROGRAM EXPENDITURES	IN DOLLARS				IN THOUSANDS			
	FY2005-06	FY2006-07	FY2007-08	FY2008-09	FY2009-10	FY2010-11	FY2011-12	FY2012-13
OPERATING COST	3.00*	3.00*	3.00*	3.00*	3.0*	3.0*	3.0*	3.0*
PERSONAL SERVICES	456,705	692,212	796,604	796,618	797	797	797	797
OTHER CURRENT EXPENSES	57,955	155,946	53,013	53,013	53	53	53	53
TOTAL OPERATING COST	514,660	848,158	849,617	849,631	850	850	850	850
BY MEANS OF FINANCING								
GENERAL FUND	3.00*	3.00*	3.00*	3.00*	3.0*	3.0*	3.0*	3.0*
	514,660	848,158	849,617	849,631	850	850	850	850
TOTAL POSITIONS	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*
TOTAL PROGRAM COST	514,660	848,158	849,617	849,631	850	850	850	850

PROGRAM ID: LTG100
 PROGRAM STRUCTURE: 110102
 PROGRAM TITLE: OFFICE OF THE LIEUTENANT GOVERNOR

	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13
MEASURES OF EFFECTIVENESS								
1. TTL REV FRM SALES AS % OF COST OF PUBLICATION	80	80	80	80	80	80	80	80
PROGRAM TARGET GROUPS								
1. TOTAL DE FACTO POPULATION (THOUSANDS)	1447	1447	1447	1447	1447	1447	1447	1447
PROGRAM ACTIVITIES								
1. NO. OF APPLCNTS FOR CHANGE OF NAMES BY INDIVIDUAL	1300	1300	1300	1300	1300	1300	1300	1300
2. NO. REQ FOR HRS, SESS LAWS, SUPPLEMENTS (000)	2.2	2.2	2.2	2.2	2.2	2.2	2.2	2.2
PROGRAM REVENUES BY TYPE (IN THOUSANDS of DOLLARS)								
CHARGES FOR CURRENT SERVICES	116	116	116	116	116	116	116	116
TOTAL PROGRAM REVENUES	116	116	116	116	116	116	116	116
PROGRAM REVENUES BY TYPE (IN THOUSANDS of DOLLARS)								
GENERAL FUNDS	116	116	116	116	116	116	116	116
TOTAL PROGRAM REVENUES	116	116	116	116	116	116	116	116

A. Statement of Program Objectives

To enhance the efficiency and effectiveness of state programs by providing Leadership and executive management and by developing policies and priorities To give program direction.

1. The Lieutenant Governor acts in place of the Governor in the event of the Governor's absence from the State.
2. Performs duties and undertakes projects assigned by the Governor. At this time, these duties have centered on public safety, including the Hawaii Drug Control Strategic Plan, Native Hawaiian issues, and economic development.
3. Pursuant to Section 26-1, HRS, the Lieutenant Governor is designated Secretary of State for intergovernmental relations. In this capacity, the Lieutenant Governor directs and performs varied activities which are administrative, ministerial and coordinative in nature.
4. Provide administrative support to agencies attached to this office which include:
 - a. Office of Information Practices.

B. Description of Request and Compliance with Section 37-68(1)(A)(B)

Not applicable.

C. Reasons for Request

Not applicable.

D. Statement of Key Policies Pursued

At this time the Hawaii Drug Control Strategy has focused on ways to combat and prevent illicit drug and underage drinking, treat drug and alcohol abusers, and disrupt the distribution of illicit drugs. In Native Hawaiian issues the Lieutenant Governor continues to work to help set policies and priorities on ceded land settlements, federal recognition, Kahoolawe Island Reserve and other important natives issues such as Hawaiian Home Lands. The Lieutenant Governor advises and assists on the Governor's Mental health initiative in behavioral health such as psychiatric group therapy, intensive institutional therapy, alcohol and drug abuse prevention and treatment, and disorder therapy. On Economic initiatives, the Office of the Lieutenant Governor assists the Department of Business, Economic Development & Tourism in business development such as building and renovating military housing inventory, tree growers, sewage treatment services providers and international business location consultants.

E. Identification of Important Program Relationships

The importance of program relationships is working with the community, non-profit organizations; state, county and federal government agencies on policy initiatives.

F. Description of Major External Trends Affecting the Program

Illicit drug and alcohol abuse are major trends that have continued to be major problems here and across the national level that affect program.

G. Discussion of Cost, Effectiveness, and Program Size Data

Not applicable.

H. Discussion of Program Revenues

Not applicable.

I. Summary of Analysis Performed

Not applicable.

J. Further Considerations

Not applicable.