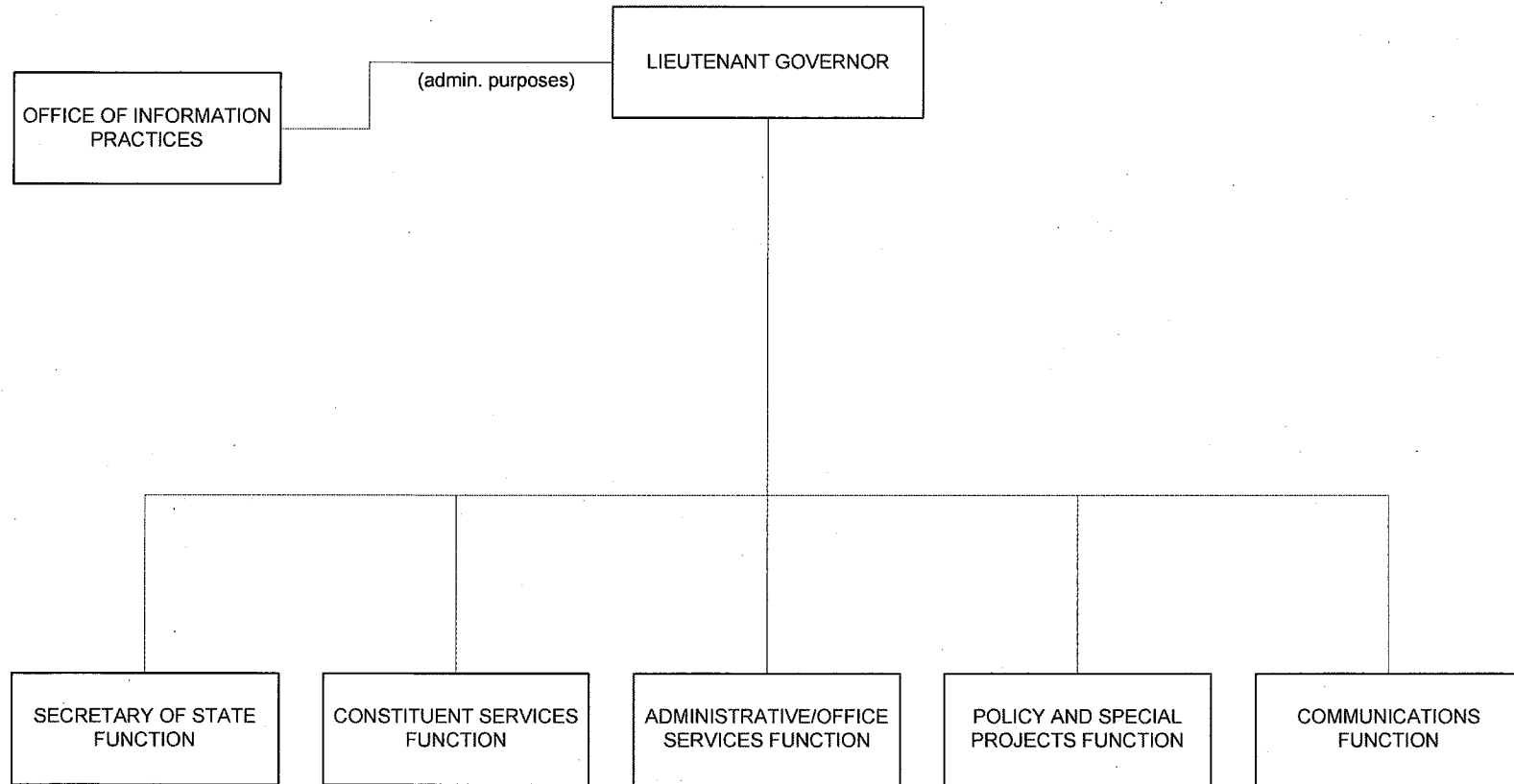




---

**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.

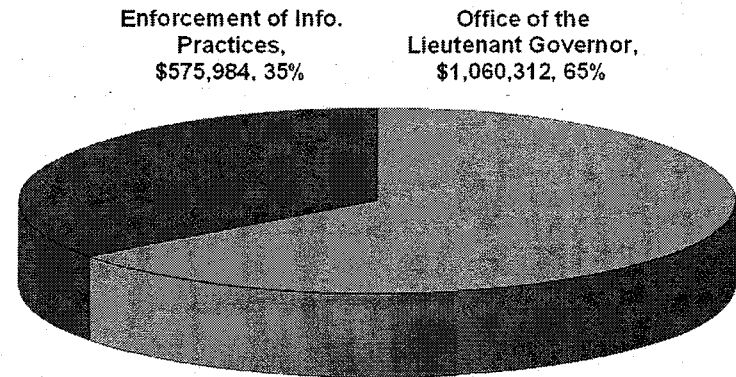
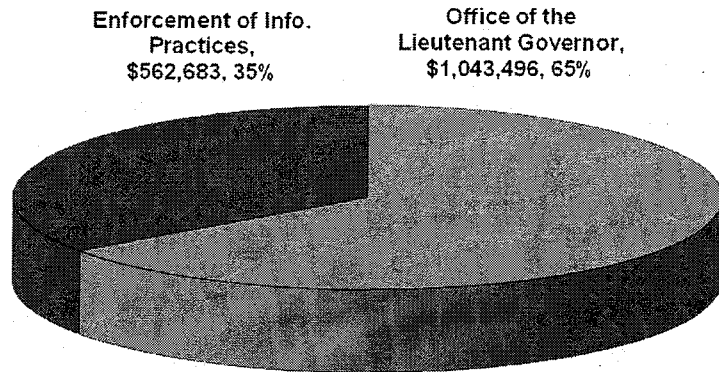
***Department Goals***

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

***Significant Measures of Effectiveness***

	<u>FY 2016</u>	<u>FY 2017</u>
1. Total revenue from sales as a percentage of cost of publication	105	105
2. Number of cases closed in fiscal year	160	160

**FB 2015-2017 Operating Budget by Major Program Area**  
FY 2016 FY 2017



## **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; perform duties and undertake projects assigned by the Governor; and provide administrative support to the Office of Information Practices.
- Provide general advice and guidance to agencies and the public on the UIPA, Sunshine Law, and open data issues; 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)**

		Budget Base FY 2016	Budget Base FY 2017	FY 2016	FY 2017
<b>Funding Sources:</b>	Positions	8.00	8.00	9.00	9.00
	General Funds	\$ 1,446,179	1,476,296	1,606,179	1,636,296
<b>Total Requirements</b>		8.00 1,446,179	8.00 1,476,296	9.00 1,606,179	9.00 1,636,296

**Major Adjustments in the Executive Budget Request:** (general funds unless noted)

1. Adds \$60,000 in each fiscal year to continue the Commissioner of Deeds responsibilities established pursuant to Act 277, SLH 2013.
2. Adds 1.00 permanent position and \$100,000 in each fiscal year to continue the Open Data responsibilities pursuant to Act 263, SLH 2013.

OPERATING AND CAPITAL APPROPRIATIONS

REPORT P61-A

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

PROGRAM EXPENDITURES	IN DOLLARS				IN THOUSANDS			
	FY2013-14	FY2014-15	FY2015-16	FY2016-17	FY2017-18	FY2018-19	FY2019-20	FY2020-21
OPERATING COST	8.00*	8.00*	9.00*	9.00*	9.0*	9.0*	9.0*	9.0*
PERSONAL SERVICES	1,278,633	1,218,380	1,478,584	1,508,701	1,509	1,509	1,509	1,509
OTHER CURRENT EXPENSES	552,542	320,595	127,595	127,595	127	127	127	127
TOTAL OPERATING COST	1,831,175	1,538,975	1,606,179	1,636,296	1,636	1,636	1,636	1,636
BY MEANS OF FINANCING								
GENERAL FUND	8.00*	8.00*	9.00*	9.00*	9.0*	9.0*	9.0*	9.0*
	1,831,175	1,538,975	1,606,179	1,636,296	1,636	1,636	1,636	1,636
TOTAL POSITIONS	8.00*	8.00*	9.00*	9.00*	9.00*	9.00*	9.00*	9.00*
TOTAL PROGRAM COST	1,831,175	1,538,975	1,606,179	1,636,296	1,636	1,636	1,636	1,636

**Office of the Lieutenant Governor  
(Capital Improvements Budget)**

	<u>FY 2016</u>	<u>FY 2017</u>
<b>Funding Sources:</b>		
General Obligation Bonds	-	-
Federal Funds	-	-
	<hr/>	
<b>Total Requirements</b>	-	-
	<hr/> <hr/>	

**Highlights of the Executive CIP Budget Request:** (general obligation bonds unless noted)

1. None.



---

## **Operating Budget Details**



**OPERATING AND CAPITAL APPROPRIATIONS**

REPORT P61-A

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

PROGRAM EXPENDITURES	IN DOLLARS				IN THOUSANDS			
	FY2013-14	FY2014-15	FY2015-16	FY2016-17	FY2017-18	FY2018-19	FY2019-20	FY2020-21
OPERATING COST	5.00*	5.00*	6.00*	6.00*	6.0*	6.0*	6.0*	6.0*
PERSONAL SERVICES	419,433	432,666	540,359	553,660	554	554	554	554
OTHER CURRENT EXPENSES	20,324	20,324	22,324	22,324	22	22	22	22
<b>TOTAL OPERATING COST</b>	<b>439,757</b>	<b>452,990</b>	<b>562,683</b>	<b>575,984</b>	<b>576</b>	<b>576</b>	<b>576</b>	<b>576</b>
BY MEANS OF FINANCING								
GENERAL FUND	5.00*	5.00*	6.00*	6.00*	6.0*	6.0*	6.0*	6.0*
	439,757	452,990	562,683	575,984	576	576	576	576
TOTAL POSITIONS	5.00*	5.00*	6.00*	6.00*	6.00*	6.00*	6.00*	6.00*
TOTAL PROGRAM COST	439,757	452,990	562,683	575,984	576	576	576	576

**OPERATING AND CAPITAL APPROPRIATIONS**

REPORT P61-A

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

PROGRAM EXPENDITURES	-IN DOLLARS-				-IN THOUSANDS-			
	FY2013-14	FY2014-15	FY2015-16	FY2016-17	FY2017-18	FY2018-19	FY2019-20	FY2020-21
OPERATING COST	5.00*	5.00*	6.00*	6.00*	6.0*	6.0*	6.0*	6.0*
PERSONAL SERVICES	419,433	432,666	540,359	553,660	554	554	554	554
OTHER CURRENT EXPENSES	20,324	20,324	22,324	22,324	22	22	22	22
<b>TOTAL OPERATING COST</b>	<b>439,757</b>	<b>452,990</b>	<b>562,683</b>	<b>575,984</b>	<b>576</b>	<b>576</b>	<b>576</b>	<b>576</b>
BY MEANS OF FINANCING								
GENERAL FUND	5.00*	5.00*	6.00*	6.00*	6.0*	6.0*	6.0*	6.0*
	439,757	452,990	562,683	575,984	576	576	576	576
TOTAL POSITIONS	5.00*	5.00*	6.00*	6.00*	6.00*	6.00*	6.00*	6.00*
TOTAL PROGRAM COST	439,757	452,990	562,683	575,984	576	576	576	576

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

	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
<b>MEASURES OF EFFECTIVENESS</b>								
1. # CASES CLOSED IN FY-EXCLUDE TRNG/LIT RULES/SP PRJ	160	100	100	100	100	100	100	100
2. # PENDING CASES @ END OF FY-NO TRNG/LIT/RULES/SP P	65	100	100	100	100	100	100	100
3. % OF PENDING CASES OPENED IN REPORTED FY	80	80	80	80	80	80	80	80
4. % OF PENDING CASES OPEN FROM PREVIOUS FY	15	15	15	15	15	15	15	15
5. % OF PENDING CASES MORE THAN 2 FY OLD	5	5	5	5	5	5	5	5
6. % STATE DEPTS&JUD POSTING UIPA LOG TO DATA.HAWAII.	100	100	100	100	100	100	100	100
7. # HITS ON OIP WEBSITE, EXCLUDING HOME PAGE HITS	48,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000
<b>PROGRAM TARGET GROUPS</b>								
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								
<b>PROGRAM ACTIVITIES</b>								
1. # UIPA/SL FORMAL/INFORMAL REQUESTS FOR ASSISTANCE	1150	1300	1300	1300	1300	1300	1300	1300
2. # OF AOD INQUIRIES RECEIVED	1000	1100	1100	1100	1100	1100	1100	1100
3. # OF FORMAL AND INFORMAL OPINIONS ISSUED	26	26	26	26	26	26	26	26
4. # OF LAWSUITS MONITORED	4	15	15	15	15	15	15	15
5. # OF LEGISLATIVE PROPOSALS MONITORED	160	180	180	180	180	180	180	180
6. # OF WEBSITE UNIQUE VISITS FROM HI, EXCLUDING OIP	23,000	27,000	27,000	27,000	27,000	27,000	27,000	27,000
7. # OF LIVE TRAINING SESSIONS & PUBLIC PRESENTATIONS	20	20	20	20	20	20	20	20
8. # OF TRNG MATERIALS & VIDEOS POSTED TO WEBSITE	20	20	20	20	20	20	20	20
9. # OF PUBLIC COMMUNICATIONS	50	50	50	50	50	50	50	50

NOTE: PROGRAM REVENUES BY TYPE AND FUND MAY NOT BE ACCURATE DUE TO SYSTEM ERROR.

A. Statement of Program Objectives

Administration of the state's open records law, the Uniform Information Practices Act (Modified) Chapter 92F, HRS.

Administration of the state's open meetings law, the Sunshine Law, Part I of Chapter 92, HRS.

Administration of the state's Records Report System, HRS §92F-18.

Determination of certain appeals from Department of Taxation decisions, HRS §231-19.5.

Assist OIMT in implementation of the state's Open Data policy, HRS §§ 27-44 and 27-44.3.

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

The request seeks to incorporate into OIP's ongoing operational budget the 1.0 FTE position and \$100,000 in annual funding that were originally authorized by Act 263, SLH 2013 (see HRS §§ 27-44 to 27-44.3) for FB14-15 to implement the state's Open Data policy.

C. Description of Activities Performed

As an alternative to litigation, OIP is a neutral third party that provides legal guidance and assistance to the public as well as to all state and county boards and agencies regarding compliance with the UIPA and the Sunshine Law. OIP does this through training and education; public communications; investigations of possible violations; resolution of disputes through informal means as well as OIP opinions; legislative testimony and proposals; and monitoring of and possible intervention in litigation.

In FB14-15, OIP was given the additional responsibility of assisting OIMT with the development of policies and procedures to implement Act 263, SLH 2013, and has since taken an active role in ensuring that the state's Open Data policy is consistent with the state's open records law and the Records Report System and in encouraging agencies to make public data available online.

D. Statement of Key Policies Pursued

The key policies serve the statutory purposes underlying the UIPA and Sunshine Law to: (1) promote the public interest in disclosure; (2) provide for accurate, relevant, timely, and complete disclosure of government records in accordance with the UIPA; (3) enhance governmental accountability through a general policy of access to government records and meetings; (4) make government accountable to individuals in the collection, use, and dissemination of information related to them; and (5) balance the individual privacy interest against the public access interest, allowing access unless it would constitute a clearly unwarranted invasion of privacy.

Consistent with these policies, OIP is encouraging government agencies to follow the state's Open Data policy, which requires each executive branch department to use reasonable efforts to make appropriate and existing electronic data sets that they maintain to be electronically available to the public at data.hawaii.gov.

E. Identification of Important Program Relationships

Because the UIPA and the Sunshine Law affect all state and county agencies and boards, the program's important relationships are with nearly all state and county departments, agencies, boards, commissions, authorities, and committees, as well as with their legal counsel and staff. Important relationships also include the general public, whose rights OIP protects.

F. Description of Major External Trends Affecting the Program

Trends that affect OIP's program primarily include the advancements in technology providing for electronic access to public records and meetings and the dissemination of information in written, audio, and video formats. These technological advances have also been accompanied by an increasing interest in open data and making government records more accessible to the public.

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

To cost effectively leverage its limited resources and to increase awareness by more state and county government agencies, board members, and the general public, OIP placed greater emphasis on education, public communication, and the prevention of problems since FY 2011. OIP's education efforts and use of technology have efficiently leveraged the time and knowledge of its most experienced staff attorneys and has made OIP's training more widely and readily available to everyone, including the general public, and not just government employees and board members.

The emphasis on training and communication has increased agency and public awareness of the open government requirements and resulted in a more than 60% growth in formal and informal requests for OIP's assistance since FY 2011. Eighty four percent of the requests for assistance come in the form of Attorney of the Day (AOD) calls and e-mails for same-day general advice, which has increased 64% since FY 2011 to 1,109 AODs. Formal cases opened by OIP has increased nearly 44% since FY 2011 to 204 cases.

Despite this increased workload, OIP was still able to resolve 37% more formal cases in FY 2014 (195) as compared to the prior year (142). OIP also succeeded in reducing the number of cases pending at the end of FY 2014 to 105, as compared to 113 at the end of FY 2013. Moreover, OIP reduced the

age of pending cases by eight years, so that its oldest case in FY 2014 was four years old.

OIP advises all state and county departments, boards, agencies, commissions, and other entities, as well as the general public, and achieved its successes in FY 2014 with a total position count of 8.5 FTE, which includes the Open Data attorney hired under Act 263's authorization and whose retention is critical to OIP's continued success.

H. Discussion of Program Revenues

Not applicable.

I. Summary of Analysis Performed

Not applicable.

J. Further Considerations

For FY 2015, OIP is concerned with the growing number of new formal cases being filed with OIP. As of the end of November 2014, OIP has received 111 new formal cases, as compared to 97 at the same time in the prior year, which is a 14.4% increase. Additionally, OIP has seen a 4.5% drop in productivity as it resolved 83 vs. 87 formal cases to date this year as compared to last year, which OIP attributes to the loss of an experienced staff attorney and the need to train new attorneys and a new administrative assistant. With a bigger workload and less experienced staff, OIP is concerned that its backlog will grow in FY 2015 and beyond.

**OPERATING AND CAPITAL APPROPRIATIONS**

REPORT P61-A

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

PROGRAM EXPENDITURES	IN DOLLARS				IN THOUSANDS			
	FY2013-14	FY2014-15	FY2015-16	FY2016-17	FY2017-18	FY2018-19	FY2019-20	FY2020-21
OPERATING COST	3.00*	3.00*	3.00*	3.00*	3.0*	3.0*	3.0*	3.0*
PERSONAL SERVICES	859,200	785,714	938,225	955,041	955	955	955	955
OTHER CURRENT EXPENSES	532,218	300,271	105,271	105,271	105	105	105	105
<b>TOTAL OPERATING COST</b>	<b>1,391,418</b>	<b>1,085,985</b>	<b>1,043,496</b>	<b>1,060,312</b>	<b>1,060</b>	<b>1,060</b>	<b>1,060</b>	<b>1,060</b>
BY MEANS OF FINANCING								
GENERAL FUND	3.00*	3.00*	3.00*	3.00*	3.0*	3.0*	3.0*	3.0*
	1,391,418	1,085,985	1,043,496	1,060,312	1,060	1,060	1,060	1,060
TOTAL POSITIONS	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*
TOTAL PROGRAM COST	1,391,418	1,085,985	1,043,496	1,060,312	1,060	1,060	1,060	1,060

**OPERATING AND CAPITAL APPROPRIATIONS**

REPORT P61-A

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

PROGRAM EXPENDITURES	IN DOLLARS				IN THOUSANDS			
	FY2013-14	FY2014-15	FY2015-16	FY2016-17	FY2017-18	FY2018-19	FY2019-20	FY2020-21
OPERATING COST	3.00*	3.00*	3.00*	3.00*	3.0*	3.0*	3.0*	3.0*
PERSONAL SERVICES	859,200	785,714	938,225	955,041	955	955	955	955
OTHER CURRENT EXPENSES	532,218	300,271	105,271	105,271	105	105	105	105
<b>TOTAL OPERATING COST</b>	<b>1,391,418</b>	<b>1,085,985</b>	<b>1,043,496</b>	<b>1,060,312</b>	<b>1,060</b>	<b>1,060</b>	<b>1,060</b>	<b>1,060</b>
BY MEANS OF FINANCING								
GENERAL FUND	3.00*	3.00*	3.00*	3.00*	3.0*	3.0*	3.0*	3.0*
	1,391,418	1,085,985	1,043,496	1,060,312	1,060	1,060	1,060	1,060
TOTAL POSITIONS	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*	3.00*
TOTAL PROGRAM COST	1,391,418	1,085,985	1,043,496	1,060,312	1,060	1,060	1,060	1,060

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

	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
<b>MEASURES OF EFFECTIVENESS</b>								
1. TTL REV FRM SALES AS % OF COST OF PUBLICATION	105	105	105	105	105	105	105	105
<b>PROGRAM TARGET GROUPS</b>								
1. TOTAL DE FACTO POPULATION (THOUSANDS)	1447	1447	1447	1447	1447	1447	1447	1447
<b>PROGRAM ACTIVITIES</b>								
1. NO. OF APPLCNTS FOR CHANGE OF NAMES BY INDIVIDUAL	2200	1400	1800	1800	1800	1800	1800	1800
2. NO. REQ FOR HRS, SESS LAWS, SUPPLEMENTS	1300	1000	1000	1000	1000	1000	1000	1000
3. NO. REQ. FOR APOSTILLE/CERTIFICATION	4500	6000	6000	6000	6000	6000	6000	6000
<b>PROGRAM REVENUES BY TYPE (IN THOUSANDS of DOLLARS)</b>								
CHARGES FOR CURRENT SERVICES	90	88	88	88	88	88	88	88
TOTAL PROGRAM REVENUES	90	88	88	88	88	88	88	88
<b>PROGRAM REVENUES BY FUND (IN THOUSANDS of DOLLARS)</b>								
GENERAL FUNDS	90	88	88	88	88	88	88	88
TOTAL PROGRAM REVENUES	90	88	88	88	88	88	88	88

NOTE: PROGRAM REVENUES BY TYPE AND FUND MAY NOT BE ACCURATE DUE TO SYSTEM ERROR.



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 serves in his capacity on a full-time basis and performs such duties as provided by law. Hawai'i Const. Article V, Section 2. Additionally, the Lieutenant Governor also acts in place of the Governor in the event of the Governor's absence from the State. Hawai'i Const. Article V, Section 4.
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. Hawai'i Rev. Statutes 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 the Resources for Enrichment, Athletics, Culture and Health (R.E.A.C.H.) initiative for after school programs for middle/intermediate school students; the Hawaii Sports Development Initiative; Hawaii Presidential Center Initiative; the HI Growth Initiative; liaison for the Governors' Circle/U.S. Japan Council; Vice Chair of the Aerospace States Association; and member of the Committee on State Strategies on International Affairs and State Strategies on Energy for the National Lieutenant Governors Association, among others. Hawai'i Rev. Statutes Section 26-1.

4. The Lieutenant Governor is responsible for administering the Commissioner of Deeds Program under Act 277, SLH 2013.
5. The Lieutenant Governor also provides administrative support to agencies attached to this Office which include: The Office of Information Practices. Hawai'i Rev. Statutes Section 26-1.

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

Request an additional \$60,000 to fund a position and to administer the Commissioner of Deeds program, established under Act 277, SLH 2013. Under Act 277, funds were provided for the program only for fiscal years 2014 and 2015. Subsequently, under Act 134, SLH 2013, as amended by Act 122, SLH 2014, one full-time equivalent position was established; however, no funding was provided. Funding for the position and to support the program is necessary to fully implement the law.

C. Description of Activities Performed

Pursuant to Act 277, SLH 2013, the Office of the Lieutenant Governor is required to establish a process for the Governor to appoint individuals to serve as commissioners of deeds to administer oaths, take acknowledgements, and take proofs of execution outside of the United States in connection with the execution of conveyance documents relating to a time share interest, any property subject to a time share plan, or the operation of a time share plan covering any property located within Hawaii. However, no corresponding position was initially established to implement the new law, although funds were provided for the FB13-15 biennium.

As a position was later provided for this program, this request seeks the necessary funding to assist in the duties involved in establishing criteria and an application for appointment as a commissioner of deeds, the drafting of administrative rules to implement the new law, establishment of processes and procedures for the acceptance of cash bonds, if necessary, and as provided in Act 277, SLH 2013, as well as to cover any administrative costs involved in the rulemaking, application, bonding, and appointment processes. The Commissioner of Deeds specialist position is in charge of administering the program, including the evaluation and development of the program for Hawai'i, drafting and processing administrative rules to implement the program, establishing a review and recommendation process for the commissioning of commissioners, and other duties relating the implementation of the program.

D. Statement of Key Policies Pursued

Performing required duties pursuant to Act 277, SLH 2013, to develop and administer the Commissioner of Deeds program and provide the opportunity for time share sales to occur outside of the State.

E. Identification of Important Program Relationships

Acting Governor: Office of the Governor and cabinet.

Secretary of State Services: Department of Health and the Office of the Attorney General.

Other initiatives and programs: Department of Education, Department of Human Services, Office of Youth Services, Hawaii Tourism Authority, Aloha Stadium, University of Hawaii, Hawaii Strategic Development Corporation, Department of Business, Economic Development and Tourism, U.S. Japan Council, among others.

F. Description of Major External Trends Affecting the Program

Advancements in technology require review of current processes to provide constituents with better access to Secretary of State operations of the Office of the Lieutenant Governor. The Office of the Lieutenant Governor has worked to make available online filing for the most utilized name change application forms and allow for online payment of application fees. In the future, additional processes should be reviewed to increase accessibility and efficiency; however, without IT staff, such advancements are a challenge and cannot be the priority of the Office.

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

N/A

H. Discussion of Program Revenues

Fees were not authorized for the Commissioner of Deeds program under Act 277, SLH 2013. However, future legislation may be necessary to allow for the collection of fees to properly administer the program.

I. Summary of Analysis Performed

N/A

J. Further Considerations

N/A