



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committee on Ways and Means
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by

Carrie Okinaga, Vice President for Legal Affairs and University General Counsel
University of Hawai'i System

HB 1261 HD1 SD1 – RELATED TO JUDICIAL PROCEEDINGS

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

Thank you for the opportunity to present testimony in support of HB 1261 HD1 SD1, Related to Judicial Proceedings. HB 1261 HD1 SD1 would make permanent Act 48, Session Laws of Hawaii 2016. Act 48 requires that decisions in contested case hearings of the Commission on Water Resource Management, Land Use Commission, Public Utilities Commission, Hawai'i Community Development Authority, and those involving conservation districts be appealed directly to the Supreme Court, with certain exceptions.

The expedited judicial review process under Act 48, removes some of the uncertainty and cost related to land use development by public institutions, like the University. This is particularly important to the formation of public-private partnerships, where private investment in capital public projects is more costly to the public as risk increases. Importantly, the benefits of Act 48 do not come at the expense of judicial oversight.

Based on the foregoing, the University supports HB 1261 HD1 SD1.