SB 2011
RELATING TO THE COMMISSION ON WATER RESOURCES MANAGEMENT

Senate Committee on Planning, Land and Water Use Management

Public Hearing - January 22, 1996
1:00 P.M., Room 225 State Capitol

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SB 2011 would amend Chapter 174C, HRS, to authorize the CWRM to create a technical advisory committee to assist the Commission in decisionmaking. The measure also would allow the Commission to retain private counsel.

Our statement on this measure is compiled from voluntarily submitted opinions of the listed academic sources, and as such, does not constitute an institutional position of the University of Hawaii.

1. **A Technical Advisory Committee is not presently warranted.**

Specific expert advice and state-of-knowledge information are absolute prerequisites of enlightened decisionmaking for the Water Commission and all public decisionmakers. Furthermore, such advice must be as free as possible of political influence. The most advanced, diverse, and politically independent concentration of technical information in the State exists in the University. Furthermore, a Legislatively-created University office exists with the explicit purpose to provide access to that expertise to government and private sector decisionmakers. That office is the Environmental Center.
Given current fiscal constraints, we see no justification for attempting to augment existing expertise readily available at no cost to any State agency or commission. In addition, avoidance of any possibility of political influence which might attend a gubernatorial appointment seems eminently advisable, due to the highly sensitive nature of water-related deliberations. Committee rules of practice and procedure should provide that current expertise be sought from the University whenever additional analysis is deemed necessary by any member of the Commission.

2. **Access of the Commission to private legal counsel is unnecessary.**

Expenditure of public funds to duplicate services available at no cost through existing government agencies would appear irresponsible, particularly in times of severe fiscal constraint. If existing legal resources of the Office of the Attorney General are insufficient to meet the Commission's needs, then additional funding should be provided to the Attorney General in lieu of authorizing expenditures for retention of private counsel.