Honolulu, Hawaii

APR 2 2 2010

, 2010

RE:

S.B. No. 2937

S.D. 1

H.D. 1

C.D. 1

Honorable Colleen Hanabusa President of the Senate Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2937, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to exempt disclosure of government records in response to duplicate requests from a single requester if the agency to which the request is made satisfies specific requirements.

Your Committee on Conference finds that, currently, the Uniform Information Practices Act, codified at chapter 92F, Hawaii Revised Statutes, contains no provision allowing an agency to not respond to a record request, even when there is a legitimate justification for not responding. The intent of this measure is to address those extreme situations when there are repeated requests for records or information already provided to a requester.

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Your Committee on Conference has amended this measure by deleting its contents and inserting language having a similar effect, which:

- (1) Creates an exemption in section 92F-11, Hawaii Revised Statutes, to the general requirement that agencies make government records available to requesters that allows government agencies to decline to make these records available for subsequent, duplicative requests; and
- (2) Inserts a repeal date for the measure of July 1, 2014.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2937, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2937, S.D. 1, H.D. 1, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE

JON/RIKI KARAMATSU, Chair

BRIAN T. TANIGUCHI. Chair

## Hawaii State Legislature

84-10

## Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 2937, SD 1, HD 1					Date/Time: April 20, 2010; 2:15 pm				
The recommendation of the House and Senate managers is to pass with amendments (CD).									
☐ The Committee is reconsidering its previous decision.									
The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	Е
TANIGUCHI, Brian T., Chr.	<b>/</b>				KARAMATSU, Jon Riki, Chr.	$\sqrt{}$			
NISHIHARA, Clarence K.	$\checkmark$				BELATTI, Della Au	$ \langle                                   $			
HEMMINGS, Fred					OSHIRO, Blake K.	$\overline{}$			
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A = Aye WR = Aye with Reservations N = Nay E = Excused									<del></del> -
Senate Recommendation is:  Adopted  Not Adopted				House Recommendation is:  Adopted Not Adopted					
Senate Lead Chair's or Designee's Signature:				House Lead Chair's or Designee's Signature:					
V SOOPE.				Hil. Warnaton					
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