STAND. COM. REP. NO. 105 -10

Honolulu, Hawaii

March 31 , 2010

RE: S.B. No. 2937

s.D. 1

H.D. 1

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2937, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to establish a process whereby a state agency may request the Office of Information Practices (OIP) to declare a person a vexatious requester when that person has established a pattern of conduct demonstrating an abuse of the information practices law.

The Department of Taxation, OIP, and Department of Health testified in support of this bill. Several concerned individuals opposed this measure. Common Cause Hawaii and several concerned individuals provided comments.

Your Committee has amended this bill by:

(1) Replacing provisions that allow OIP to declare a person a vexatious requester with provisions that exempt disclosure of government records in response to duplicate requests from a single requestor; provided that the agency to which the request was made satisfies specified requirements;

SB2937 HD1 HSCR JUD HMS 2010-2933

- (2) Adding a sunset date of July 1, 2013;
- (3) Making the bill effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2937, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2937, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

JON KIKI KARAMATSU, Chair

## State of Hawaii House of Representatives The Twenty-fifth Legislature

## HSCR 1105-10

## Record of Votes of the Committee on Judiciary

SB2937, SD1 Committee	ee Referral:	Dat	3/25/	10
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)				
2. ITO, Ken (VC)	V	This control of the c	Liera e-i avez	ACTUAL TO A PROPERTY OF A STREET, THE ACTUAL TO A STREET, AND A STREET,
3. BELATTI, Della Au	V			
4. CABANILLA, Rida	y actions with according	Date Current Services (1997)	DEPENDENCE OF THE PERSONNERS OF	196° (2010) 25 (301) 35 (31)
5 CARROLL, Mele				V_
6. HERKES, Robert N.				
7. LUKE, Sylvia				
8. McKELVEY, Angus L.K. 9. MIZUNO, John M.				
10. MORITA, Hermina M.		Angellacia.		1
II OSHIRO, Blake K				
12. SOUKI, Joseph M.	1 9935555 Call 9850	Jobannes - 1- Generales		in interestable of
13. TSUJI, Clift	V			
14. WAKAI, Glenn	<b>/</b>		TO THE BEAUTY OF THE PROPERTY	27 07 1340103411 27 <u>1</u> 1 1 1 1 0
15. MARUMOTO, Barbara C.	V			
16. THIELEN, Cynthia	V			
	<u> </u>			
	<u> </u>	<u> </u>	<del></del>	<del>-</del>
	-	·		
		<del>  -</del>		
<del>-</del>				
TOTAL (16)	9			7
The recommendation is:  Adopted  If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				